

# THE TIMES

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TUESDAY JANUARY 21 1997

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Lords set dilemma for ministers

## 64-vote defeat for Howard's bugging plan

By James Landale, Frances Gibb and Stewart Tendler

THE Government last night suffered a major defeat in the House of Lords when peers overturned a key part of the Police Bill.

Labour and Liberal Democrats united to ensure that the police must seek the authorisation of a judge before entering and bugging homes, except in emergencies.

The Government had claimed that a system of commissioners to review all bugging decisions would provide "rigorous accountability" but an alliance of senior judges and lawyers persuaded peers that it was an essential civil liberty that police should get prior authorisation before invading private property.

The Lords voted by 209 to 145, a majority of 64, for a Labour amendment which will ensure that no intrusive electronic surveillance can take place unless it has been approved by a judge, known as a commissioner. This was one of the largest defeats for the Government since 1979.

Ministers will consider today how to respond. Senior Tories believe they will have to accept the principle of "prior authorisation" as any attempt to overturn it in the Commons would be fought with difficulties given the Government's lack of a majority. Ministers will be anxious to avoid handing the Opposition parties an issue on which they could precipitate a confidence motion.

Yesterday's vote would mean that in emergencies the surveillance could take place without prior authorisation.

but a commissioner must approve it "as soon as reasonably practicable". In a second Government defeat, a Liberal Democrat amendment providing for the prior authorisation to be given by a circuit judge, rather than a judicial commissioner, was carried by 158 votes to 137.

Labour had initially supported the Government's Bill but changed its mind after criticism from the judiciary and civil liberties groups.

The Government received almost no support from the floor of the Lords. Lord Callaghan, Lord Carr of Hadfield and Lord Jenkins of Hillhead, all former Home Secretaries lined up against the Bill. Lord Lloyd, a senior Law Lord, warned that it risked being struck down by the European Court of Human Rights.

Michael Howard, the Home Secretary, was also criticised by a former Tory Solicitor-General, Lord Rawlinson of Ewell. Lord Walton of

Deichant, ex-president of the General Medical Council, said that lives would be put at risk if police had sanction to bug surgeries.

Only two Peers defended Mr Howard, one of them Lord Marsh, the former Labour minister.

Baroness Blatch, the Home Office Minister in the Lords, argued that Labour's amendment would hinder the police's ability to combat serious crime. "The freedom of the individual must be weighed against the protection of people whose freedoms are denied by the activities of organised criminals."

But Lord Williams of Mostyn, a Labour spokesman, said: "If this Bill passes, we move one step closer to a totalitarian system."

Last night the Law Society was jubilant. Tony Gifford, president, said that the society had been "seriously concerned" that the Bill did not contain sufficient safeguards to balance privacy with the need to detect crime.

Sir Jim Sharples, Chief Constable of Merseyside and the leader of the police campaign for the legislation, refused to back down on the key question of authorisation. He said that the police had asked for break-ins and buggings to be legitimised to bring the operations into the open. Giving the power to launch the operations to an outside power would reduce effectiveness. Too much time would be lost in finding a commissioner.

The Lords' debate, page 11



Hillary and Chelsea Clinton, above, and Al Gore's daughter Kristin, await the swearing in of President Clinton, below

## Clinton's hopes for the US

FROM BRONWEN MADDOX IN WASHINGTON

BILL CLINTON yesterday became the fifteenth President in history, and the first Democrat since Franklin Roosevelt sixty years ago, to be sworn in a second time as President of the United States.

In a passionate speech, he called for Americans to reconcile their racial and political divisions, and to have faith that government can improve their lives without overreaching itself. "We must succeed as one America," he declared. Standing in front of the

Capitol, below tiers of 60-foot American flags, he pronounced the 20th century "the American century", when the US "became the world's mightiest industrial power, saved the world from tyranny in two world wars and a long Cold War, and time and again, reached across the globe to millions who longed for the blessings of liberty."

In a wedding of both liberal and conservative philosophies, he argued that "government is not the problem; government is not the solution. We, the people, are the solution," he said. In a theme

which he evolved on the campaign trail, and a clear departure from traditional Democratic rhetoric, he stressed the need for personal responsibility: "The pre-eminent mission of our new Government is to give all Americans an opportunity — not a guarantee — but a real opportunity to build better lives." Throughout the speech, he invoked the "forces of the information age", which he hoped would spread the benefits of education across society.

Racial harmony, page 14

## Children turned away from intensive care units

By Jill Sherman  
Chief Political Correspondent

MORE THAN 400 critically ill children have been turned away from intensive care units in the past three months because of shortages of beds and nurses, according to a nationwide survey to be published today by Labour.

The study of 19 of the 20 hospitals which have specialist paediatric intensive care units shows that nearly 200 children were turned away from hospitals last month.

The Great Ormond Street Hospital for Children in London, one of the country's leading children's hospitals, has had to turn away the most cases: 83 since October. Seventeen children have been turned away from the hospital this month. But the bed and nursing shortages have also caused huge problems in the country's other top hospitals.

Most of the children have been referred onto other hospitals, but in some cases seriously ill children have been transferred to hospitals hundreds of miles away.

Bristol Royal Hospital for Children, which has turned away 31 children in the past three months, had to refer on to Birmingham a child who had been sent to them from Taunton, Devon.

Labour intends to use the survey to highlight the shortage of intensive care facilities in its debate on the winter crisis in the health service in the Commons today. It will refer to statements made by Stephen Dorrell, the Health Secretary, last year promising more specialist beds after the case of Nicholas Geldard, aged ten, who died in December 1995 after being referred to four hospitals in search of a bed. Only last month a 20-month-old Sunderland baby

Continued on page 2, col 1

## Labour MP dies aged 59

Martin Redmond, the Labour MP for Don Valley, south Yorkshire, died yesterday aged 59. Mr Redmond had been suffering from cancer for some time. His majority at the 1992 general election was 13,524 and his death means that the Conservatives now have the same number of voting MPs — 322 — as all other parties.

## Roman statue is raised from mud

A Roman sculpture has been lifted from the mud banks of the River Almond in Crumond, Edinburgh, where it has lain for almost two millennia. The sandstone statue of a lioness devouring the head of a screaming bearded man is remarkably well preserved. **Page 3**

## Labour pledge to freeze tax starts party battle

By Philip Webster  
Political Editor

GORDON BROWN and Kenneth Clarke were locked in an acrimonious battle over tax last night after the Shadow Chancellor unexpectedly pledged that Labour would not increase the basic or top rate of income tax in a full term of government.

In a move designed to bury forever the tax-and-spend image of old Labour, Mr Brown promised no rises in personal taxes for five years, no extensions to VAT in certain areas, an eventual 10p starting rate, and no change in government public spending plans for two years.

But the Chancellor hit back, claiming that Mr Brown's promises were "beyond belief". He declared: "Hell will freeze before Gordon Brown could control spending and keep tax down."

Tory strategists swiftly pointed out that Mr Brown's headline-grabbing pledges in no way prevented him from raising money elsewhere through reducing tax reliefs and personal allowances, increasing taxes on companies, bringing in new charges such as "green" taxes, and raising excise duties.

Sources close to Mr Brown discounted any suggestion of increases in National Insurance contributions, saying that they would amount to a



Labour's tax position is now as clear as the Tories. But that is not saying very much — Anatole Kaletsky, page 31

"tax on jobs".

Mr Brown's five-year promise, the most far-reaching ever made by any prospective incoming Chancellor, took the Tories and most of the Labour Party by surprise.

He delivered it first in an interview at 8.10am on the Today programme on BBC Radio 4 and gave further details in a speech yesterday afternoon at London's Queen Elizabeth II conference centre.

So intense was the secrecy surrounding the announcement that most of the Shadow Cabinet were in the dark until Mr Brown informed them by telephone late on Sunday.

The prospect of an earlier-than-expected General Election was the main factor in the decision of Mr Brown and Tony Blair to put out the news earlier than expected.

It was the climax of their attempt to blunt the Tory campaign on tax — the issue which Labour strategists believe was most responsible for their last election defeat.

Reaction from the Labour Left was muted, although there were rumblings from several union leaders. Ken Livingstone warned that Mr Brown might have to increase top rate tax.

As the election battle heats up, Mr Blair will today promise businessmen a "new deal" for the 21st century. He will promise to build on the changes of the 1980s while leaving most of the Thatcher revolution untouched.

Speaking at a London conference, Mr Blair will say: "Labour offers business a new deal for the future. We will leave the main changes of the 1980s intact, but we will address the new agenda for the 21st century, focused on partnership between government and business, education, welfare reform, infrastructure and leadership in Europe."

Mr Brown said: "Because we want to encourage work, Continued on page 2, col 7"

Peter Riddell, page 10  
Leading article, page 19

## Teenage mother sees her baby stabbed in pram

By Adrian Lee

A TEENAGE mother saw her baby girl stabbed yesterday as she lay in her pram in a crowded shopping centre.

Ashleigh Baker, who was a year old this month, underwent emergency surgery for a stomach injury after the attack in Nottingham. Shoppers and store staff detained a man, 38, who is believed to have a history of mental illness and who was being questioned last night.

The police said later that the child was in a stable condition at the Queens Medical Centre and her life was not in danger. Her mother, Norma-Jean Baker, 16, was at Ashleigh's bedside last night with her boyfriend, Robert Tinsley, 17.

The attack happened at 2pm in the Bridgeway Centre, in the Meadows area of the city. Miss Baker, who lives with her boyfriend and baby above a public house in the shopping centre, was standing beside the pram when a man appeared from behind a pillar. Witnesses said he demanded money for drink and, when he was refused, he pulled out what may have been a potato peeler and lunged at the baby, leaving her covered in blood.

Two youths who heard the mother's screams chased a man from the scene into the Co-op store, where he gave himself up.

Anne Bell, who works at an optician's shop in the centre, said: "I saw the mother, who was hysterical, and the kid lying there on the ground. People had covered her with their coats."

Another worker, who was inside the Co-op when the man and his pursuers ran in, said: "A guy came bursting in, shouting: 'Don't hurt me, don't hurt me.' He was a big fellow with dark hair. He was followed by another guy, who was shouting: 'He's just stabbed a baby.'"

"The security guard and the manager looked shocked and just stood there until a man chasing him shouted again that he'd stabbed a kid. When the two lads who were chasing him grabbed him, he didn't seem to put up a fight. Then they led him off."

Russell Smith, a public house manager, said that the stabbing was unprovoked. "It was a young mum out doing her shopping when this bloke ran up and stabbed the child. The girl was bleeding and her mother was screaming and crying like any mum would."

A Co-op spokesman said: "A man was chased into the store by members of the public who told staff he had injured a baby. Store manager Andrew Butler and members of his staff detained a man."

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## Latter-day Perry Masons gather for a public execution

Your sketchwriter also serves on the Broadcasting Standards Council, one of whose functions is to consider public complaints about breaches of taste or decency in television programmes. Yesterday morning, with fellow-members of the Council, I watched a video-recording of scenes in *Moll Flanders*, about which there had been complaints. One such involved a public execution. Crowds had gathered for a hanging. There was hubbub, and a sense of ghoulish excitement at the

spectacle to come. Hours later, I found myself outside Committee Room 15 in the Commons. A crowd had gathered for a public meeting of the Select Committee on Privileges.

Andrew Mitchell, a social security minister and former whip accused of trying to use his influence improperly during the cash-for-questions affair, was to be interrogated. Queuing journalists mingled with people off the streets, all gossiping in hushed tones about the spectacle to come. What was it in the mood and

the hubbub which took me back to *Moll Flanders*?

In the Commons chamber, mood can be a useful early warning of change in the air. To watch Welsh Questions that afternoon was to sense — before they admit it to themselves — that the Labour Party has lost its ardour for a Welsh Assembly.

The news will come as a disappointment to the combative young Secretary of State for Wales, William Hague. He has won his battle too early and already the enemy are regrouping on



MATTHEW PARRIS

POLITICAL SKETCH



new ground. The Tories repeatedly pressed their charges against what Hague called "the time-wasting and self-defeating load of hot air Labour call an Assembly," but few heads appeared above the parapets opposite to defend it.

Finally, Shadow Welsh Secretary, Ron Davies, was stung into a reply. What was

wrong with the idea, he asked? In a recent survey in Wales, 78 percent supported Labour's plan for a referendum.

Ah, a referendum! The Opposition is shifting ground, reserving its enthusiasm not for the Assembly, but for the idea of asking people whether they want one. Success is now to be the achieve-

ment of the referendum, not the Assembly. The damage-limitation exercise has started before the damage.

Geoffrey Clifton-Brown (C. Cirencester & Tewkesbury) rose to defend the Assisted Places Scheme after a salvo against it from one of Labour's bravest free-spirits, Paul Flynn (Newport W). Clifton-Brown told junior minister Gwyn Jones that the virtue of this scheme was that "it enables people rise to the level of their abilities".

One of the curiosities of the British parliamentary system

is that it enables people to rise above the level of their abilities. To watch the Government benches from my seat is to survey a mixed-ability class in an average comprehensive school.

A few look genuinely clever, others just about keeping up. Some are sucking up to the teacher, some seem completely out of it, and a handful appear as though plucked from a police identity parade. One or two look barking mad. But all these people must be addressed as "the hon Member" and may write

— demanding action from any authority in the land — on headed notepaper with the Crown Portcullis embossed on each sheet, and the letters MP after their name.

And all at our expense! Half a dozen of them were waiting in Committee Room 15 yesterday to try their hand as latter-day Perry Masons, interrogating a whip in the glare of the television lights — a red sign "Broadcasting" illuminated above the door. Truly, this is the most generous Assisted Places Scheme of all.

## Financial crisis hits fundholding practices

# GPs put off operations after running out of cash

By JEREMY LAURANCE, HEALTH CORRESPONDENT

PATIENTS awaiting routine hospital operations may have to wait longer for treatment because many fundholding doctors have run out of money to pay for them, it was disclosed last night.

GPs covering 350,000 patients in southeast England have told hospitals in London to stop dealing with the cases until after the new financial year begins in April. The fundholding practices, which hold their own budgets for hospital treatment, have said that patients should be made to wait 11 months in some cases in order to postpone payment as long as possible but ensure treatment is carried out within local Patient's Charter limits of one year.

Documents obtained by *The Times* reveal that the two tier service said to favour patients of fundholding practices is just as likely to disadvantage

them. They show that patients of GP fundholders are suffering the same problems of delayed treatment as those from non-fundholding GPs. In the past, patients of non-fundholding GPs have had their treatment postponed by health authorities who have run out of money.

The documents, from an unnamed London hospital, show that 191 fundholding GPs from 25 practices have sought help to curb their financial problems. One practice instructed the hospital: "No further treatment to take place until 1 April 1997."

Another said: "Admit all routine cases no sooner than 11 months after placement on the waiting list." A third said no patients should be admitted without prior approval.

The document will be seized on by Labour as evidence that fundholding is not working.

The Government has claimed that by giving budgets for hospital treatment to practices, GPs would be better able to control how quickly the money was spent. More than half the population is covered by GP fundholders.

The difficulties experienced by fundholders in the South East are certain to be repeated elsewhere. A survey by the National Association of Fundholding Practices two years ago found a quarter were overspent or had made no savings and the pressures had increased since.

Critics have said that GP fundholders only performed better in the early years of the scheme, introduced under the NHS reforms in 1991, because they were more generously funded. Labour is committed to replacing GP fundholding with a system of local commissioning involving all GPs in

an area which it says will improve efficiency and equity. Allan Stubbs, manager of a 16 million multifund covering 30,000 patients in six GP practices in Sidcup, Kent, which is on the "overspent" list, said: "As fundholders we are in the same position as health authorities. The budgets simply aren't large enough to meet the demand. If we face a potential overspend we have to tell the hospitals."

"If a patient already has a date for admission there is no way any GP would interfere and if a consultant says a patient should come in the GP would not argue. But if a patient's treatment can be delayed without threat to their life or wellbeing we would have to consider deferring it."

Graham Willoughby, fundholding manager at the Winifred Lee Health Centre in Eastbourne, said: "Too many patients were being treated too quickly — faster than we would have wanted."

Clive Parr, general manager of the National Association of Fundholding Practices, said overspending was a growing problem as budgets got tighter. "The idea of a two tier service favouring fundholders is a nonsense. The NHS has always been a multi-tiered service depending on where you live, who your GP is and how close you are to a hospital."

## Hospitals turn away children

Continued from page 1

was taken 120 miles to Edinburgh because an intensive care bed was not available in the North-East.

Chris Smith, Shadow Health Secretary, and Tessa Jowell, his deputy, will claim that the survey shows that Mr Dorrell has failed to keep his pledge and the bed shortages are worsening. "It is every

parent's nightmare to arrive at a hospital with a child who is critically ill only to find that there is no bed available. Every second is precious," Ms Jowell said last night.

The number of intensive care beds for children has grown rapidly from 127 in England in 1987 to 249 by last year. Each bed costs £250,000 a year to staff and maintain

and the beds come under extra pressure in the winter. The NHS executive says it is too expensive to fund intensive care units to meet peak demand because wide fluctuations in need would waste resources. In guidelines issued last year it said transfers of patients between units were inevitable but if properly managed could be achieved safely.

## Dentist who earned £1.1m is struck off

By A STAFF REPORTER

A DENTIST who unnecessarily drilled, filled and crowned the teeth of patients was struck off yesterday, William Duff, 34, who had two surgeries in Glasgow, earned £1.1 million from the NHS between 1991 and 1995, a disciplinary hearing in London was told.

It was only after an investigation was launched into his fee claims that it was discovered that patients had been subjected to "wholly unnecessary and unpleasant" treatments. The General Dental Council found Duff, of Kilbarchan, near

Glasgow, guilty of serious professional misconduct and erased his name from the dental register.

Richard Rundell, for the council, said that Duff performed "totally unnecessary" fillings, crowning and root canal treatment in his "deliberate pursuit of financial gain". Mr Rundell outlined six specimen complaints which he said were very much the tip of the iceberg.

In 1993, an extensive investigation was carried out by the Greater Glasgow Health Board in relation to fees claimed by Duff. In 1995, an NHS tribunal looked into complaints from 228 of his patients

and decided that his name should be removed from its list of registered dentists.

Last July, the Scottish Secretary intervened and withheld £190,000 from Duff in outstanding fee claims. "From 1991 to 1995, Duff was one of the most highly paid dentists in Scotland working in the NHS. From 1991 to 1995 he received fees in excess of £1.1 million," Mr Rundell said.

Duff did not attend the hearing. Hugh Harvie, of the Medical Defence Union of Scotland, who represented him, said the dentist no longer intended to practise and was on a university course.



## Britons glitter at golden awards

FROM GILES WHITTALL IN LOS ANGELES

THE actress Brenda Blethyn led a successful British assault on the 54th annual Golden Globe awards at a gala evening boasting a full Hollywood turnout.

She won best actress in a drama for her performance in Mike Leigh's *Secrets and Lies*. Madonna was awarded best actress in a musical or comedy at the Beverly Hills ceremony on Sunday night, to which the new movie wore a gown that left her virtually bare-chested.

*Evita*, in which she plays the wife of the Argentine dictator Peron, won three awards, including best original song for Sir Tim Rice.

There was a possible forecast of the Oscars when major trophies went to *The English Patient*, the wartime love story by the British director Anthony Minghella (best drama and original score) and Miles Forman's *The People vs Larry Flynt*, a mischievous look at the infamous pornographer (best director and best screenplay).

The Australian actor Geoffrey Rush prevailed over Ralph Fiennes, star of *The English Patient*, to win as

best actor in a drama in *Shine*.

Ms Blethyn followed a succession of Britons to triumph in American television productions: Helen Mirren and Alan Rickman won Globes for their leading roles in *Losing Chase* and *Rasputin* respectively, while Sir Ian McKellen, Rickman's co-star, was named best supporting actor in a television mini-series or drama.

Filming *The Crucible* page 34  
Movie music, page 36



Madonna: honoured for her role in *Evita*

## Minister admits his role in inquiry was a 'mistake'

By ARTHUR LEATHLEY, POLITICAL CORRESPONDENT

A TORY minister accused of trying to influence a Commons cash-for-questions investigation admitted last night that it had been a mistake to take part in the inquiry.

Andrew Mitchell, a Social Security Minister, said his membership of the Commons Members' Interests Select Committee had created potential conflicts of interest with his position as a government whip.

Mr Mitchell, MP for Gedling, was accused by Labour MPs of trying to exert his influence as a whip on fellow Tory MPs who were investigating allegations against Neil Hamilton, the former Trade Minister. He is accused of exploiting his position to pass on privileged information to Richard Ryder, then Chief Whip.

Last night Mr Mitchell told a public investigation into his role: "In hindsight I have to say that I think it would be better if whips do not serve on such committees in future, both for the whip and in view of what has happened on this occasion."

He said that when he was appointed to the committee he did not know that it had a "quasi-judicial" role and said that, on realising this, he recognised there was a potential conflict of interest.

He also denied that a memorandum he wrote to the Chief Whip showed that he was intending to influence Tory MPs on the Members' Interests inquiry into Mr Hamilton in 1994.

Mr Mitchell, whose appearance before the committee came after the memo was disclosed by the Labour MP Dale Campbell-Savours, pointed out that his appointment to the now-defunct Members Interests Committee was made by the House of Commons and not by the Whips Office, thereby denying any suggestion that he was some kind of plant.

A report last month by the Standards and Privileges Committee on the role of David Willetts, the former Paymaster General, in the Hamilton inquiry led to Mr Willetts' resignation.

## Brown tax pledge

Continued from page 1

and after 22 tax rises since 1992 which have hit hard-working families. I want to make clear that a Labour government will not increase the basic rate of tax."

Acknowledging victory for Mr Blair in a personal tussle over a proposed 50p rate, he said: "As a signal of the importance we attach to rewarding work, I want to make clear that I will not increase the top rate of tax."

For those in lower-paid work, he said: "My tax-cutting ambition is to introduce a new lower starting rate of tax of 10p to encourage work and to help all hard-working families." Mr Brown said: "I would like to have announced we could definitely introduce a 10p rate in our first Budget... but I cannot promise that resources are available to do it, and, therefore, I will not make a promise about the timetable for its introduction."

Mr Brown said: "We want

to send the clearest possible signal that we want to encourage employment and work, not penalise it. The Conservatives try to claim that Labour will penalise work and success by raising taxes. Nothing could be further from the truth." He promised to cut VAT on fuel to 5 per cent and said there would be no extension to food, children's clothes, books and newspapers and public transport fares.

Mr Brown said his approach to pay would be "firm and fair". He wanted to retain, recruit and motivate staff, he said. But: "With Labour, all public sector pay agreements must be financed from within the agreed departmental cash-limits. Just as we will resist every other unreasonable demand on the public purse, we will resist unreasonable demands on public sector pay."

Peter Riddell, page 10  
Leading article, page 19

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**"There's going to be a referendum"**

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Love him or loathe him, Sir James Goldsmith has been very successful in making 'Europe' an issue. But many people who want a referendum on the Single Currency or restoring Britain's independence have given little thought as to how we would do our case justice.

The federalists are already making preparations for a 'Referendum '97' campaign. They have relaunched the 'Britain In Europe' campaign which fought the 1975 referendum - along with its twin 'Federal Union', set up "to stop federalism from being a dirty word".

That's why we've been formed — as the successor to the 1975 National Referendum Campaign that warned of the dangers from Europe. We will fight the corner for Britain to oppose the abolition of the Pound, and Britain's subjugation to 'Europe's' legal system.

Evidence shows that a decision on the Single Currency has to be made in 1997, and that a referendum is increasingly likely. We need to become organised now. Unlike our opponents, we don't have grants from the European Commission, or out of taxpayers' money.

Your help and donations will be vital. Please write (with SAE if possible) to:

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P O Box 13199, London SW6 6ZU Tel/fax: 0171-386 1837





Evans: confrontation

## Evans is out after missing breakfast

By CAROL MIDDLEY

THE maverick broadcaster Chris Evans ended his Radio 1 career with a whimper yesterday after failing to turn up to present his breakfast show.

A BBC spokesman said Evans was being released from his £1.4 million contract immediately because he no longer felt able to present the show. The contract was to have expired on March 27. The BBC was alerted to Evans's non-appearance in a phone call at 5.10am from John Revell, his producer, less than two hours before the show should have started.

Kevin Greening was called in to play almost continuous music, interrupted only by the statement: "Due to circumstances beyond our control we are unable to bring you the Chris Evans breakfast show. For that we are sorry." Mr Greening ended the show by playing Missing by Everything But the Girl.

Evans's failure to turn up for work followed a confrontation last week with Matthew Bannister, Controller of Radio 1, in which Evans demanded Fridays off to concentrate on his Channel 4 television show, *TFI Friday*. When Mr Bannister refused Evans resigned, claiming that he had effectively been pushed.

In two years he had built the show's audience to seven million listeners a week. Evans, who is also credited with having boosted ratings for the whole of Radio 1, started his show 30 minutes later than his predecessors and had 12 weeks' holiday a year.

## Roman lioness of death raised from river mud after 1,800 years Relic emerges from sands of time

By SHIRLEY ENGLISH

A ROMAN sculpture, one of the finest and most important historical finds of recent years, was lifted yesterday from the mud banks of the Scottish river where it has lain for almost two millennia.

The 5ft by 2ft sandstone statue of a lioness devouring the head of a screaming bearded man has been remarkably well preserved in the silt of the River Almond in the Cramond district of Edinburgh. Archaeologists say that the 1,800-year-old sculpture is priceless. It was pulled out of the sucking mud by a crane and lowered on to a lorry in a two-hour operation.

The relic was found by Robert Graham, 36, the local ferryman, who spotted its head peering out of the mud as he descended the ferry steps. The nose of the lioness was three inches from the steps. Mr Graham may be entitled to a finder's reward under treasure trove.

Not realising the statue's importance, Mr Graham began digging it out last November, thinking that it would be a "nice piece for the garden". He covered it for safety and forgot about it over Christmas. Last week Mr Graham mentioned the piece to an amateur archaeologist, who recognised its significance and alerted the authorities.

Experts believe that it is probably one of Britain's finest Roman relics, especially

because of its size, detail and rare theme of a lioness with a human. Only three similar depictions exist in Britain, at Corbridge in Northumberland, Borrowdale in Cumbria and Colchester, Essex, but none is as large or as well preserved. The Colchester piece is a carving rather than a statue.

Yesterday, armed with trowels and brushes, six archaeologists and two conservators from the City of Edinburgh and the National Museums of Scotland began the delicate operation of lifting the statue at low tide, after six days of carefully removing the silt that has preserved it for centuries. It has been under 24-hour surveillance since last Wednesday when the dig began.

They had from 3.15pm until about 9.15pm to move the huge statue before the tide covered it again. The plinth, in two parts and including the lioness's hind legs, was lifted first, followed by the statue itself.

Research and preservation work will begin at Edinburgh's Granton depot of the National Museum of Scotland. The statue, waterlogged with sea water as it was found near the mouth of the river, will be washed in distilled water and dried over several months. The main fear is that the salt may cause it to crack as it dries.

Fraser Hunter, curator of the Roman collection in the National Museum, said the statue probably guarded the tomb of a powerful Roman officer. It symbolised the destructive power of death. "I cannot think of any other example of a statue of this kind. It is in amazingly good condition. The detail is tremendous, you can almost feel the lioness's breath on your shoulder," he said.

Roman sculptures of that type normally depict lions eating animals or smaller creatures. This one's size, condition and theme make it rare. The nearest example is the lion and deer at Corbridge, found after the First World War. The only other example of an animal with a human is the sphinx found in Colchester in the 19th century.

Cramond, north of Edinburgh, was an important



Archaeologists lifting the sculpture yesterday from the silt that preserved it. Drying will take several months

Roman harbour and army supply base until the Romans withdrew to Hadrian's Wall about AD 212, after the death of Emperor Septimius Severus in York. There may be another lioness in the silt, as mosaic statues of that kind normally come in pairs. Now that the Roman section of river has been identified, excavations will begin to seek out the harbour buildings.

Mark Collard, the archaeologist at Edinburgh City Coun-

cil who led the dig, said the statue may have fallen off a boat when the Romans withdrew or have been hurled in the river by Britons when the occupiers left. It must have sunk rapidly because of its weight and was quickly covered in the sand and gravel that protected it from erosion.

Mr Collard said: "This is the best preserved example in Britain and was probably made by a stonemason in the Roman army. There are other

examples of lions eating creatures, but one of this quality and size, and the fact it is a lioness with a human, is very rare. I have never seen anything like it before. It has certainly got me excited."

Dr Jon Coulston, an expert in Roman sculptures based at St Andrews University, said: "The genre is not unusual, but the detail may be, because of the human victim. That is much more unusual."

Other finds of lions and

prey dating from the second and third centuries are known elsewhere in the Roman Empire, usually in military frontier areas such as the Rhineland and Danube.

The statue will probably belong to the Crown and will be the subject of treasure Trove. Dr David Breeze of Historic Scotland, an expert in Roman archaeology, said: "I have never seen anything like this in Britain or abroad. It seems to be a unique find."

## PC denies assaulting man who had gun

By TIM JONES

A POLICEMAN was accused yesterday of assaulting a self-confessed habitual criminal who pointed a gun at him during a high-speed car chase. PC Wesley Pierpoint performed Paul Gough's eardrum by slapping him across the head as he sat handcuffed in the back of a police vehicle, a court was told.

Lincoln Crown Court was told that PC Pierpoint, 43, and WPC Nicola Avison had the gun pointed at them as they chased a stolen car driven by Gough from Nottinghamshire into Lincolnshire. Kate Hargreaves, for the prosecution, said the car was halted just outside Lincoln and the two men inside were arrested.

She said: "WPC Avison, although she could not see clearly what was happening, says she saw Pierpoint's arm raising a number of times and the sound of slaps. She turned away, embarrassed at what she had seen."

At Lincoln police station, she said, Gough, 22, who has 96 previous convictions and is serving a three-year jail sentence, claimed to have been assaulted by PC Pierpoint, who threatened to "have him". Miss Hargreaves said PC Pierpoint had said he believed Gough's head made contact quite violently with the ground during the arrest.

"He said that in the car he believed he was about to be headbutted and he hit Gough's cheek with his arm. Twice more Gough came at him and he reacted in the same way. He said he did no more than protect himself."

Gough, whose current sentence is for offences arising out of the car chase, said the gun had been handed to him in the car by a youth who had stolen it. He said it had been handed to him to add to his collection of guns and knives. Gough added: "An officer opened the door and told me I was in big trouble. He said I would never point a gun at him again. He bent into the car, pushed me on to my side and then hit me repeatedly. Five times, with the palm of his hand into my left ear."

PC Pierpoint denies causing actual bodily harm in July 1995. The case continues.

## Doctor who killed rival can go back to medicine

By GLEN OWEN

A WOMAN who stabbed her husband's mistress to death less than three years ago is to be allowed to train to return to her old job as an anaesthetist. The General Medical Council agreed yesterday that Julia Davidson, 49, had "paid her debt to society" after serving 19 months of a four-year sentence for manslaughter.

Dr Jeremy Lee-Potter, chairman of the council's professional conduct committee, said that Dr Davidson could not practise unrestricted and that a psychiatric report should be reviewed in 12 months. He also ruled she must not take any locum posts and that future employers should be made aware of these conditions.

Pamela Horner, her solicitor, argued that Dr Davidson, a mother of four of West Byfleet, Surrey, was no longer a threat to society, nor to her husband.

Her trial at the Old Bailey in 1994 was told that she stabbed Fiona Wood 17 times in the neck and 18 times in the face, and continued to attack her as

she lay dying on the floor of her husband's surgery in Woking, Surrey.

Dr Davidson was an anaesthetist at Whipps Cross Hospital at Leytonstone, east London, when she met Jeremy Wright in the late 1970s. They married and she and her husband's medical secretary became friends, but Dr Davidson discovered that her husband had begun an affair with Mrs Wood during a conference in New York. Dr Wright, a surgeon, left the marital home and later set up home with Mrs Wood in Chobham, Surrey.

Dr Davidson was receiving counselling and was on medication when, in May 1994, she saw her husband with 35-year-old Mrs Wood in his car, when Mrs Wood flashed her a "triumphant smile". Distraught, she drove home where she was believed to have collected a knife.

Dr Davidson then drove to her husband's surgery where she confronted Mrs Wood, shouting at her: "Do you know how many people you are

hurting?" She said Mrs Wood laughed and she later told police: "I hit her and hit her and hit her, that evil, wicked woman."

She admitted that even after Mrs Wood fell to the ground, she continued to hit her. Covered in blood she drove to see her husband and told him what she had done. At the trial in December, 1994, she pleaded not guilty to murder but guilty of manslaughter by reason of diminished responsibility.

At yesterday's hearing, Dr Davidson pleaded to be allowed to train as a doctor so that she could "give back something to society and the profession."

Robert Mills, for the GMC, told the committee: "She has paid her debt to society by virtue of her prison sentence" but doubted her ability to practise again since she had not worked as an anaesthetist since the birth of her first child 17 years ago. Dr Davidson said: "I hope some of my old knowledge will come back quite quickly."

## Victim set to marry rapist

By TIM JONES

A WOMAN plans to marry the man who pleaded guilty to raping her to save her the humiliation of reliving the attack in court. Her lover was jailed for six years at the Old Bailey yesterday after the court was told that the 28-year-old woman had refused to give evidence against him.

It is likely that, because of her stand, the 30-year-old man would have escaped conviction if he had denied two charges of rape and two charges of indecent assault. The couple had shared a home in a village in Surrey, where he was accused of subjecting her to "a violent and degrading assault" after returning from a night's drinking in October 1996.

Sentencing the man, Judge Richard Hawkins, QC, said: "It appears you were suffering from irrational jealousy." Grace Amalaye, defending, said: "He is thoroughly ashamed that he subjected the woman he loves so dearly to this violence and degradation. Now they intend to get married. She has forgiven him."

## Preachers were arrested when their message fell upon stony ground

By ALAN HAMILTON

THREE disciples who so excited the multitude that they were pelted with eggs by the ungodly were accused of aggressive preaching when they appeared before York magistrates yesterday.

The zealous preachers belong to Faith Ministries, a Leeds-based group that preaches the Old Testament as it is written, and has no truck with modern interpretations. They took to the streets of York to spread their fundamentalist message on the evils of homosexuality and other perceived ills, but their sermon degenerated into disorder and police were called. Divine intervention deserted them, and they spent 48 hours in custody.

Alison Redmond-Bate, 24, Margaret Miller, 49, and Alan Bate, 50, were told by the clerk of the court that they had been arrested for aggressive preaching, and causing intimidation and harassment so that a breach of the peace was likely to occur. They denied the charges.

A fourth man, David McKelvie, from a Bible college in Doncaster, was also arrested and charged after claiming that he had stepped out of the crowd to protest at the arrest of the three preachers.

A witness said: "They had a huge crowd gathered round, and they were shouting at the top of their voices for people to save themselves. You could tell there was going to be trouble. One started shouting about homosexuality, and that people who practised it would rot in hell."

Pastor Phil Dacre, of the Faith Ministries, said: "For the past six months, since the Lord told us to go out and preach and proclaim, we have sent out teams to places in Yorkshire warning people to repent. This team were asked by the Lord to visit York, but it seems that the people of that city did not want to hear their message."

The Faith Ministries was founded ten years ago by Pastor Dacre, and a few friends in Leeds. Membership has

swelled to more than 100. A spokesman said the group was motivated by the fact that the laws of God were being abandoned.

Speaking about the group being held in custody, Pastor Dacre said: "Preaching is not a criminal offence and we are quite concerned they were kept in jail for that length of time."

Mr Bate is on an electronics course at Leeds University. He is the father of Alison Redmond-Bate, who works as a sales assistant at a clothes shop in Leeds, but on Thursday teaches art at the school attached to the Faith Ministry. Leeds Christian School. Her mother also teaches there and belongs to the ministry. Margaret Miller also helps at the school, which has about 50 pupils and is described as specialising in teaching children Christian principles, but with more emphasis on discipline.

The defendants were released from custody and the hearing was adjourned to a date to be fixed.

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## Dogs join search for missing schoolgirl

By KATHRYN KNIGHT

DOGS trained to search for bodies joined the hunt yesterday for Zoe Evans, the girl missing for ten days.

The dogs, trained by the Metropolitan Police, searched hills and scrubland behind the girl's home in Warminster, Wiltshire. Senior police said they were extremely pessimistic about finding the nine-year-old alive.

Paula and Miles Evans, her mother and stepfather, were released without charge on Sunday evening after being questioned by detectives over the weekend. They were taken to a secret address where they were staying with two police officers.

Police disclosed that they were following a new line of inquiry after receiving the results of DNA tests on two pieces of recovered clothing. Inspector Geoff Hicks, of Warminster police, said that he could not disclose the results of the tests. He added: "We are waiting for our first big lead. Mr and Mrs Evans are being kept informed at every stage."



PC Terry Field and his dog, Jupiter, checking a drainage tunnel yesterday

## Widow battles the odds to visit Libyan war grave

By STEPHEN FARRELL

A WIDOW aged 79 has achieved a lifetime ambition to visit her husband's war grave in Libya, 54 years after he was killed at Tobruk.

Daisy Norris undertook the journey alone, ignoring Foreign Office and Royal British Legion warnings not to travel to a country isolated by international sanctions. She was "cheated, diddled and robbed", and at the last moment nearly turned away as she approached the grave.

After years spent trying to persuade suspicious Libyan officials to grant her a visa, Mrs Norris was finally given permission to travel last September. She flew to Tunisia to make the final arrangements and last week crossed the border, using the last of her savings to make the return journey from Tripoli.

A taxi driver took her from the town centre to the Tobruk war cemetery, a Commonwealth War Graves Commission site on a plateau five miles inland. There, among 2,480 graves, she found the burial plot of her first husband, Charles Crawley. He



Daisy Norris was "diddled and robbed" on her solo journey into Libya, where her husband died in 1942

was a Royal Marines commando who died, aged 24, on September 14, 1942, as the Eighth Army battled to retake the city from Rommel. He never saw his month-old son, Stephen, and now lies in Grave 13, Row C, Plot 9, next to the Cross of Sacrifice in the far corner of the cemetery.

Exhausted by the journey, struggles with unhelpful officials and the difficulties of negotiating fares and room rates in an unfamiliar coun-



try, Mrs Norris nevertheless refused to be deterred by all obstacles. "Everyone just wanted to stop me, everyone. Even when I got out there they told me I didn't have enough money, it was too dangerous, I couldn't make the journey, everything," she said yesterday from her hotel room in Sousse, Tunisia.

"It was an horrendous experience. I was cheated, diddled and robbed. I was charged 100 dollars in a Tobruk hotel just

for a bed, but when you don't understand someone's language you can't argue with them, you just put the money out and they take it.

"Still, after all that, I have done it. I flew across the Sahara desert, I used Libyan aircraft when people told me not to. I stayed with some very friendly people I met when I was feeling terrible. I did whatever I had to."

Mrs Norris, from Beeston, Nottinghamshire, had cherished the idea of visiting the grave since 1970, when her second husband died of cancer. However, when the moment approached, she felt her resolve falter.

"I had to walk the whole length of the site," she said. "As I got nearer to where I wanted to be, I nearly turned and walked back because I didn't want to see his name on that stone, but I knew it was something I had to face."

"When I did stand there it was a weird experience after so many years. I still feel very emotional about it. I have done what I wanted to do and I did it without any help from anyone. Now I am just so tired and I want to come home."

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## Barristers must relearn the art of advocacy

By FRANCES GIBB, LEGAL CORRESPONDENT

BARRISTERS are to undergo compulsory training in advocacy under a new programme which abandons the traditional notion that great advocates are born, not made.

Initially the scheme will apply to barristers who take on jury trials soon after qualifying. Later it is likely that the scheme will be extended to more experienced barristers.

The new Bar chairman, Robert Owen, QC, is launching the profession's first compulsory programme to improve standards. He said: "The traditional view has always thought been that advocacy was a skill which you were born with. But over the years people have started to realise that it can be taught very successfully."

One of the regular criticisms of barristers is that standards of advocacy, particularly in criminal trials, are inconsistent. A report on the profession in 1994, by Lord Alexander of Weald, QC, found that "anecdotal evidence of prolixity, lack of preparation and incompetence abounds". He said many barristers provided a high standard of service. But some barristers treated litigation as a "contact sport" and were tediously wordy and unnecessarily aggressive.

The programme, which will apply initially to the 400-500 barristers called to the Bar each year, will end the assumption that an advocate's skills are learned "on the job". Instead, for their first three years, newly qualified barris-

ters will have to complete 42 hours of training in advocacy and in changes in law. The Law Society, which already requires all solicitors who have qualified since November 1982 to gain training points every year, is extending its own scheme to the whole profession after November 1998.

Mr Owen said that the Bar vocational course — the one-year professional training course — provided an excellent grounding. "But Bar entrants need more training in relation to specified areas they choose to practise in, as well as in advocacy," he said. He had set up an Advocacy Studies Board under Lord Justice Kennedy, the Court of Appeal judge, with representatives from the Inns of Court, the circuits and specialist Bar associations, to advise on advocacy training policy "at all stages of education for the Bar".

A Bar spokesman said: "The scheme is part of an ongoing series of reforms which flowed from the Alexander report — including reforms to the way complaints are handled, and quality assurance standards in chambers. It underlines a recognition that the Bar is providing a professional service like any other."

The scheme is expected to start in October 1997. Both the Royal Commission on Criminal Justice, in 1993, and the Alexander report have called for action to improve standards of advocacy.

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## Woman on vodka binge set breath-test record

By RUSSELL JENKINS

A WOMAN who was almost 6½ times the drink-driving limit after a vodka binge was banned from driving yesterday. The Campaign Against Drink-Driving said that the breathalyser figure was the highest recorded by a woman.

Rosemary Foster, 23, from Weston Coyney, Staffordshire, also assaulted three police constables. She was stopped by police with 225 micrograms of alcohol in 100 millilitres of breath. The legal limit is 35.

Foster had been drinking with Rita Smith, 43, a housewife from Beswick, Manchester, before getting behind the wheel of her V-registrated Ford Fiesta on December 12. Other motorists used mobile telephones to alert police to a car they had seen weaving along the M56 near Ashley in Cheshire. The police found Foster's car parked on the hard shoulder and the driver staggering into the roadside lane.

Heather Alsop, for the prosecution, told Macclesfield magistrates that Foster was handcuffed and put in a police



Foster: assaulted police

car. She then tried to make herself sick and vomited over the arresting officers.

At the police station she was offered a cup of coffee by a woman police constable. She immediately threw it back at the officer, scalding her chest and forearm.

Foster, who admitted drink-driving and assault, faces a jail sentence. The case was adjourned until February 17 for reports to be prepared. Foster was remanded on unconditional bail but was given an interim driving ban.

Smith, who had struggled with police officers on the edge of the motorway when she was arrested, admitted being drunk and disorderly during the incident. She was fined £50 and ordered to pay £50 costs.

A spokesman for the Institute of Alcohol Studies said that, with such high levels of alcohol, Foster should have been comatose, "possibly dead". "At that blood alcohol level, the vast majority of people would be flat out on their backs."



## Fashanu 'earned £800,000 for role in fixing matches'

By LIN JENKINS

JOHN FASHANU, the former Wimbledon and Aston Villa striker, earned up to £800,000 for fixing Premier League football matches for a gambling syndicate, a court was told yesterday.

Mr Fashanu, now a presenter of the television show *Gladiators*, is said to have been the intermediary between two goalkeepers and unnamed figures in Singapore, Malaysia and Indonesia who financed the rigging of results. Bruce Grobbelaar, the former Liverpool and Southampton goalkeeper, allegedly told Christopher Vincent, his friend and business associate, about the scale of payments to Mr Fashanu as he picked up £40,000 cash for his part in the deception. He earned the money after playing for Liverpool in a match they lost 3-0 at Newcastle in November 1993. Mr Vincent, 38, who has



Fashanu said to have been the intermediary

earned more than £75,000 from selling his story about match fixing, told the court that he went to London for the meeting with Mr Fashanu and was with Mr Grobbelaar as he left with £40,000 in £50 notes in his elephant-skin briefcase.

The two men drove to Hampstead, north London,

and Mr Grobbelaar told him "the short man" — the Malaysian middleman — and Mr Fashanu would both be there. "As we left he told me Fashanu had made between £400,000 and £800,000 from doing business with the short man."

Mr Vincent said Mr Grobbelaar had boasted to him that nobody would know if he was influencing the result. "He said he had been Liverpool's goalkeeper for 14 years and if he was standing a yard or a foot off his line nobody would know."

Mr Grobbelaar, 39, watched Mr Vincent intently as he sat in the dock with his co-accused Mr Fashanu, 33, Hong-Sun Lim, 30, and Hans Seger, 34, the former Wimbledon goalkeeper. All deny conspiracy to give and accept corrupt payments and Mr Grobbelaar also denies a charge of corruption. The hearing continues.



John Galiano being applauded by his models at the end of yesterday's presentation. He had turned to the Dior archives for inspiration

## Galliano updates the New Look on debut for Dior

By HEATH BROWN

FOR the second time in as many days, British design triumphed at the Paris haute couture collections. In the wake of Alexander McQueen's acclaimed show on Sunday night, John Galiano's debut collection yesterday as designer-in-chief at Christian Dior looked to the archives for inspiration. Dior's once revolutionary New

Look, which used extravagant amounts of fabric in full, circular skirts, was updated in wasp-waisted boundbooth and Prince of Wales check dresses in a new mini length. But, true to form, nothing was that straightforward. He mixed and matched with Masai beading, padded pannier hips, ruffled eveningwear and see-through lace. The theatrical Galiano signature

was evident in the corseted evening-wear, but did not drown the overall wearability of his daywear. The pretty tailoring could very well dress the more adventurous Dior customer of old.

Celebrities at the show included Charlotte Rampling, Marisa Berenson, Jean-Paul Gaultier and the Duchess of York. The French magazine *Paris Match* had commissioned

the duchess to interview Galiano before the show. "Just a regular girl's point of view," she said, adding that, as she had always had a weight problem — "like most other women" — she could look at fashion in a more realistic way than the cognoscenti. "Voted one of the ten worst-dressed women in the world," she added wryly, "I feel I have an interesting point of view."

## Golf club secretary cheated for his son

By TIM JONES

THE secretary of one of Britain's most exclusive golf clubs has been sacked for falsifying his son's handicap.

Robbie James was found guilty of gross misconduct at Walton Heath, Surrey. He admitted reducing the handicap of his son, Mark James, a top amateur, to increase his chances of entry into significant tournaments.

A statement said that the action by Mr James, formerly secretary at Wentworth, justified dismissal without notice.

## Sir Edward Heath

The negotiations with the Sir, referred to in the third paragraph of Sir Edward Heath's letter (January 18), opened in Paris in October 1961, not 1962.

## Miss Amanda Clow

Miss Amanda Clow asks us to point out that she did not break off her engagement to Mr Mark Astley as a result of the loss of her engagement ring on a flight from New York to London, contrary to our report of November 4, 1996. She retains her affection for Mr Astley, even though they are no longer engaged. We apologise for any distress our report may have caused.

## Thou shalt not gazump, bidder tells Catholics

By A STAFF REPORTER

A BUSINESSMAN has been quoting the Bible to accuse a Roman Catholic diocese of gazumping him on the day he was due to buy a school building from it.

Roy Seaman says that the East Anglia RC Diocese Trust went back on its word to accept his £95,000 offer for the Grade II listed geography block at the Notre Dame High School in Norwich. Instead, six weeks after his offer, it received an identical one from a consortium of school governors and asked both parties to bid again, he says.

His letter to the Bishop of East Anglia, the Right Rev Peter Smith, accuses the diocese of flouting biblical edicts such as "By thy word, thou shalt be justified" (Matthew xii, 37) and "He that is greedy for gain troubleth his own house" (Proverbs xv, 27).

Mr Seaman, a born-again Anglican, says he has already incurred £30,000 costs in planning refurbishments and wished a pension fund to turn the block into a new head office for his local franchising firm. "I believe gazumping is ethically and spiritually wrong and the Church should not be taking part in it or encouraging it."

A spokesman for the diocese said it had a legal obligation to sell to the highest bidder.



## How long can Government policy go on restricting our growth?

The Government claims that it believes in free trade and open competition. So far as international air travel is concerned, the reality is very different.

Manchester Airport's ability to grow is being stunted by red tape in the form of archaic regulations dating back to 1947, which were introduced essentially for military reasons, and before the introduction of passenger jets. These regulations — called bilateral agreements — require that before an airline can start a new service between 2 countries an international treaty between the respective Governments is required.

In today's highly competitive market place these rules are

an utter irrelevance to Manchester and other regional airports. Other Governments recognise this and pursue an Open Skies policy to the benefit of their airports and countries.

Major competitor airports like Singapore and Amsterdam therefore attract additional routes without getting started up in inter-governmental politics. By contrast, Manchester is constrained by a regulatory process which impedes and deters international airlines from starting new services.

The impact on the regional economy and on employment is enormous. An independent firm of analysts, York Consulting, has estimated that the introduction of an Open Skies policy

would create in the order of 10,000 jobs in the North West between now and 2005.

An IATA passenger survey has found Manchester to be the "World's Best Airport". Many airlines want to start up routes to and from Manchester, allowing more passengers to fly directly to their chosen destinations, and creating jobs here rather than exporting them. The Government can unilaterally declare "Open Skies" over Manchester and other regional airports and support the creation of jobs and passenger choice.

There is no good reason why the Government should not act now. It must!



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## Lover of murdered wife could inherit £160,000

BY PAUL WILKINSON

THE secret lover of Eve Howells stands to inherit most of her £160,000 estate if her husband and two teenage sons are convicted of her murder, a court was told yesterday.

Russell Hirst, a bachelor, admitted that he deceived his best friend and colleague for 12 years, calling regularly at his house for sex while David Howells was at work.

Mr Howells, his sons, Glenn, 17, and John, 15, deny battering Mrs Howells to death in August 1995 at the family home in Huddersfield, west Yorkshire. Glenn Howells admits manslaughter on the ground of provocation. The prosecution says they plotted to get rid of Mrs Howells because of her dominating behaviour.

Mr Hirst, 38, who is godfather to both boys, was to have given evidence at Leeds Crown Court on Friday but collapsed in the witness box. Yesterday he blamed stress and the fact that he had not eaten for 48 hours. He said he had been suffering from depression for 16 months.

He said that he knew he would inherit if all the family died, but did not know that he would receive the money if the family were convicted of Mrs Howells's killing. He agreed with Aidan Marron, for John Howells, that Mrs Howells had been "the love of my life". She was "a real lady and a delightful individual".

He said he had met Mrs Howells in 1977 when he was 19 and she was 31, soon after he had become apprenticed to her husband, who worked as a maintenance fitter for a chemical firm. He and Mrs Howells began an affair in 1982 on a family holiday in Spain.

The affair had ended in 1989, but resumed in 1993 after Mr Hirst had taken an overdose at the end of a close friendship with another woman. He had turned to Mrs Howells for comfort. Mr Hirst said that he understood Mr Howells had not known of the affair until detectives investigating the killing had told him. He had since written to Mr Howells to apologise.

The case continues.

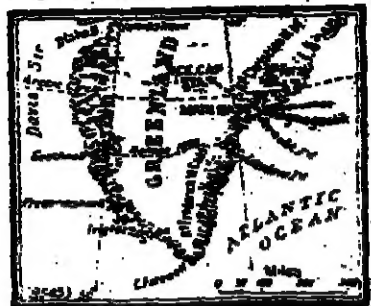


## THE BASE CAMP REACHED RAPID MARCH OF THE WATKINS PARTY

World Copyright Reserved FROM CAPTAIN LEMMON, ARCTIC EXPEDITION

PLANE CAMP, May 11, 10 a.m. The Watkins party returned here at 7 o'clock this morning (G.M.T.), while we were in bed, the local time being 4 a.m. They had stopped for only two hours (over 7.45 p.m. yesterday, and had covered 17 miles in that time.

We had intended to send two photographers to-morrow to the camp 10 miles away to meet them, but Watkins said:



Watkins, in the centre of the middle row, sent regular reports to *The Times*. The photograph above was captioned rather coyly as showing the team with "Eskimo friends"

## Polar explorers kept warm with Eskimo Nells

BY DALYA ALBERGE ARTS CORRESPONDENT

HUNDREDS of previously unseen pictures of intrepid British polar explorers, including some that suggest how Eskimo women kept them warm, go on show next week.

The photographs are part of a collection of pictures and letters among unpublished material charting the four expeditions led by Henry "Gino" Watkins, before his death in the Arctic at the age of 25 in 1932. Along with love letters to his fiancée, Margaret Graham, there is an intriguing portrait of Watkins and his men looking very British, seemingly unaware of the Eskimo women on their lips. They are known to have fraternised with them and the woman perched on Watkins's knees was nicknamed Tina the Slut.

Alan Biles-Liddell, head of the travel department at the antiquarian booksellers, Henry Sotherton, in central London, which is exhibiting the collection, said that, though the explorers left behind their offspring, "there are no mentions of anyone showing him a baby, saying, 'Well, what about this?'"

In fact, in his letters to Miss Graham, Watkins told her how excited the Eskimos were to learn of



Henry "Gino" Watkins died trying to save his kayak. Right, the expedition's ship, *Quest*

their engagement. His team of young explorers captured the imagination of the public as they travelled to the most desolate areas of Greenland and the North and South Poles. Their adventures were covered almost every day by *The Times* and Watkins, who was hailed at the time as an explorer to equal Scott and Shackleton, wrote vivid accounts of his expedition exclusively for this paper.

On May 14, 1931, he reported from Greenland: "An aeroplane flew over us. It dropped some dog food and

man food down to us. Unfortunately, we had to leave the food on the ice cap after we had taken out the luxuries, since we already had on our sledges much more man food than we required."

Watkins died on August 20, 1932, trying to save his kayak. One of the photographs in the collection suggests the moment before his death: when the canoe slipped off an ice floe from which he was shooting a seal, he quickly undressed and dived into the water to save it from sinking. He is believed to have been

killed instantly by the cold. Mr Biles-Liddell said: "He literally became a hero in his own lifetime. Yet, sadly, Watkins is today not remembered as readily as Scott or Shackleton."

"He opened up Greenland, which wasn't well known topographically. The coastline, the mineral deposits and whether it was feasible to use it as an economic commodity were due to Watkins."

Surprisingly, his letters contain no references to any northern suffering in the cold. Mr Biles-Liddell

plained: "These were real men. Not one came back and complained."

Also being sold are Watkins's watch, which is working again since a husky hair was removed, and three albums of newspaper cuttings relating to the expeditions.

Among them is the story from Greenland of how one member of the team, Augustine Courtneil — from the Courtneil textile family which partly funded their expedition — survived being buried alive, alone for six weeks in a 12ft long ice tunnel.

The *Times* obituary on Watkins spoke of the widespread grief at the news of his death: "Already, as the President of the Royal Geographical Society said a few months ago in presenting him with the Founder's Medal — a distinction never before granted by one so young — he had placed himself in the front rank of Arctic explorers. A man of great energy, intelligence and promise, and of powers, amounting to genius, of organisation."

The photographs, which include original prints that were published at the time, and the letters are to be sold by the great-niece of Watkins's fiancée. The collection will be exhibited at Henry Sotherton's bookshop, 100 Strand, London, W1, from January 27 to February 27.

## Syringes classed as illegal weapons

Syringes are to be classed as illegal weapons in the Irish Republic after a series of hold-ups by raiders claiming to have syringes full of HIV-infected blood. Nora Owen, the Justice Minister, said syringe attacks would carry a maximum five-year jail sentence. In Dublin in recent weeks there have been two such attacks a day.

## Lottery numbers

Camelot, the National Lottery operator, has launched a telephone hotline to clamp down on under-age players. The public are encouraged to call 0541 561616 to report retailers selling to children under 16. Posters and stickers will be produced as reminders.

## Cambodia plea

The parents of Christopher Howes, the mines expert taken hostage by the Khmer Rouge, appealed to the Cambodian people to help to find him. Ron and Betty Howes, of Bristol, made their plea in a letter to newspapers on the 300th day since he was kidnapped.

## Last photos

Learner drivers will have to provide photographic proof of identity when going for driving tests from March 1. Up to 200 tests a year are believed to be taken by qualified drivers impersonating learners. Proof will be required at both the written and road test.

## Poison tree

Four tree surgeons and two helpers suffered severe skin reactions and breathing problems from toxic sap that seeped from a 40ft Japanese varnish tree they were felling at Cockington, Devon. Workers in protective suits removed the wood in a sealed skip.

## Blaze of glory

Alan Burns, 55, a retired firefighter in Hailwistle, Northumberland, responded to a call on his final day before retiring. In his final act of bravery, he saved the lives of his crew and himself with the parting gift of his services: the 1953 Dennis fire engine, on which he served nearly 40 years ago.

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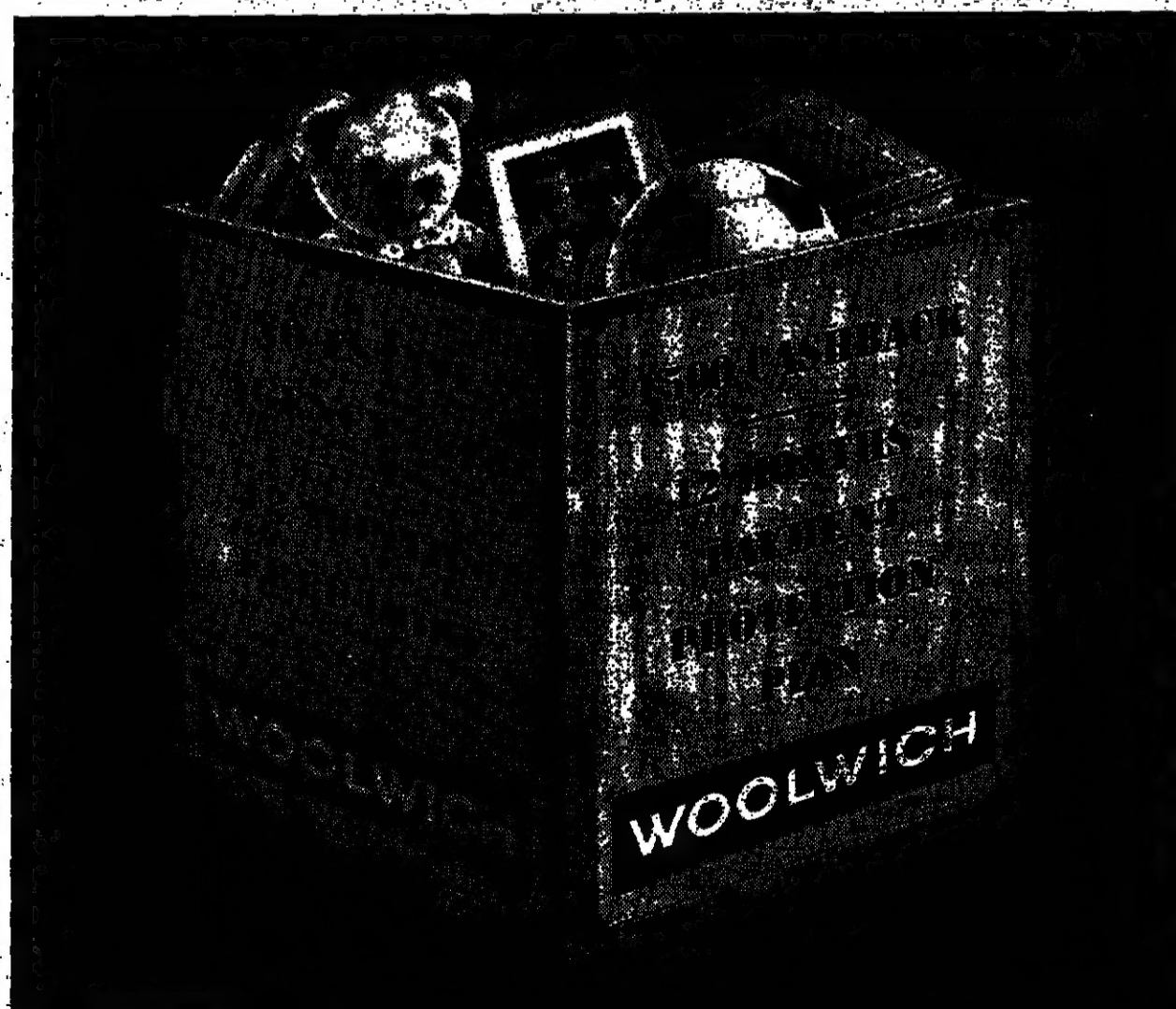
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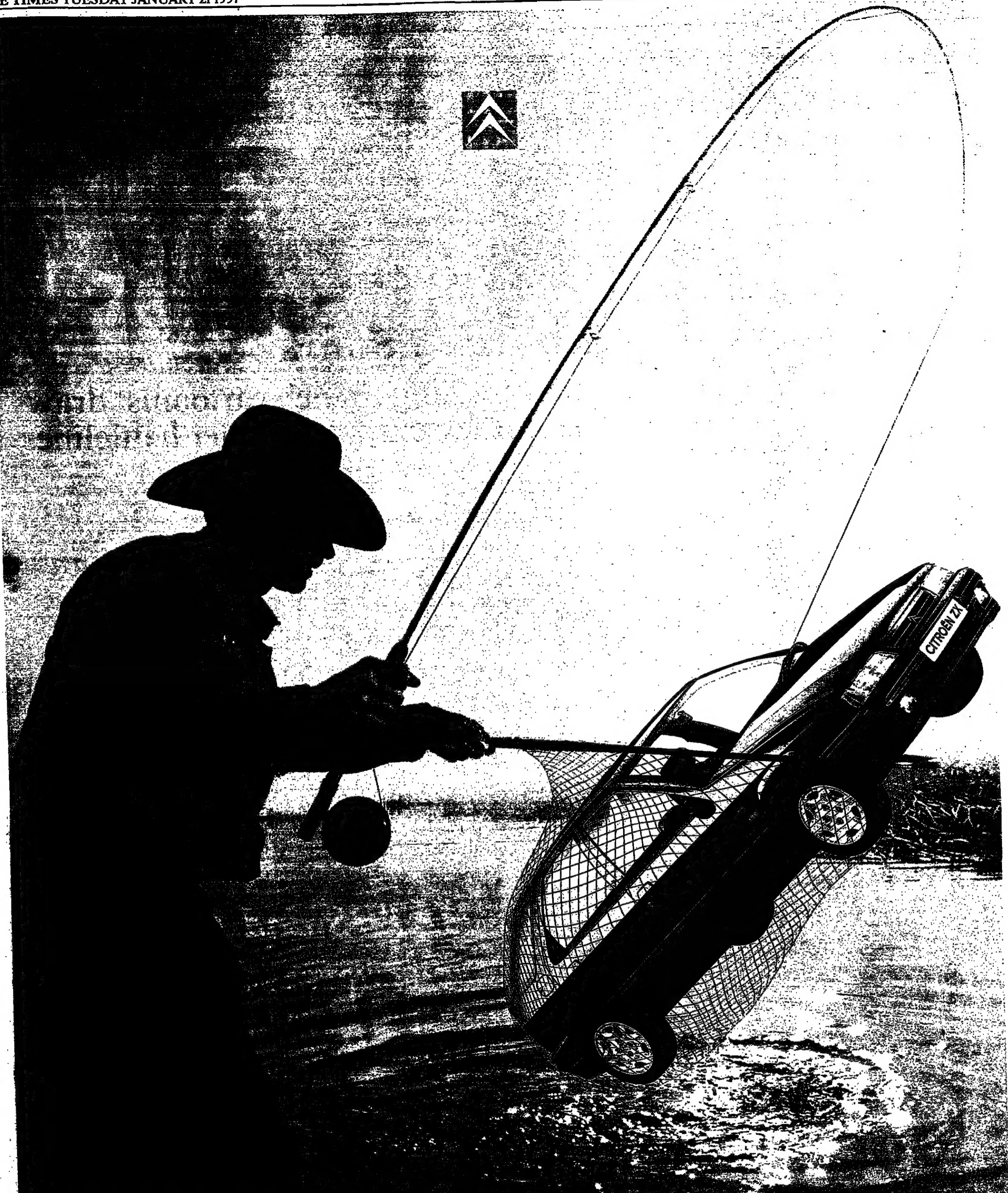
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## Loyalists suspected of planting bomb under couple's car

By NICHOLAS WATT, CHIEF IRELAND CORRESPONDENT

THE loyalist ceasefire appeared to be collapsing last night after terrorists tried to murder a Roman Catholic couple and their five-month-old daughter in a car-bomb attack.

John Shaw, 37, and his girlfriend, Adele Burleigh, 25, were driving through the predominantly Protestant town of Larne, Co. Antrim, when a Second World War grenade rigged up to the driveshaft under the passenger seat exploded. No terrorist group admitted the attack, but early indications are that loyalist terrorists planted the bomb. It was the third attack by suspected loyalists in less than a month.

Relatives of the couple are

understood to have been loyalist targets in the past.

Mr Shaw described how the bomb exploded after he had driven across Larne for 20 minutes in busy traffic. He said: "I called for my friend, Michael, but he wasn't in. So I stopped, reversed and a loud bang came up. The van went out of control and was lifted off the ground."

The attack is likely to lead to renewed pressure for the political representatives of loyalist terrorists to be expelled from the Stormont talks. The loyalist fringe parties have insisted that the ceasefire declared in October 1994 by the Combined Loyalist Military Command is still in place. The Government

has supported the claim, despite attacks in December and earlier this month.

The bomb in Larne came hours after the IRA attacked a police station in the nationalist Short Strand area of East Belfast. Terrorists fired two "coffee jar" bombs at a look-out post guarding the heavily fortified Mountpottinger police station yesterday morning. Nobody was injured and the station was hardly damaged, although a woman was taken to hospital with a suspected heart attack and the windows of nearby houses were shattered in the blasts shortly after 7am.

Republican sympathisers have launched an "electronic bombing" campaign against the Democratic Unionist Party's Web site, which has cartoons lampooning Gerry Adams, the Sinn Féin president, has been bombarded with thousands of e-mail messages to prevent genuine users gaining access.

Most of the messages were identical and some used abusive language to attack the DUP. One said: "What do you think you are, you Orange scum?"

The DUP last night posted a "business as usual" message on its site. Peter Robinson, the party's deputy leader who features in a cartoon on the DUP site surfing across waves with the Rev Ian Paisley, said he was planning to dump the messages on to a "well-known republican Web site".



John Shaw, Adele Burleigh and their five-month-old daughter, Shauna Rose, after their van was blown up

## Chiens de Fusil

UN REPORTAGE EXCLUSIF



The tribulations of the comic book hero, resembling an unkempt Gerry Adams, include a friend who dies on hunger strike

## Prize-winning French cartoonist draws serious lessons from Ulster battlelines

FROM BEN MACINTYRE IN PARIS

A FRENCH cartoon strip depicting the conflict in Northern Ireland has been awarded a prize by French radio journalists and is tipped to win France's comic book equivalent of an Oscar next week.

There is nothing funny about *Chiens de Fusil* (Gun Dogs). The cartoonist Christian Lacroix, not to be confused with the fashion designer, depicts a Roman Catholic family in West Belfast torn apart by sectarian violence.

Lacroix, 48, who signs himself Lax, said yesterday that his aim was partly to counterbalance his country's idealised image of the IRA. "In

France there is a tendency to see the IRA as romantic, a Catholic minority fighting for liberty. I tried not to take sides, to give a neutral picture."

Lacroix spent several weeks in Northern Ireland researching the book and talking with Catholic and Protestant families in Belfast. "When I first came to Northern Ireland two years ago, I was struck by the contrast between the beauty of the countryside and the friendliness of the people on one hand and, on the other, the military infrastructure, the checkpoints, the barbed wire," he said.

On Monday *Chiens de Fusil* was awarded the Prix de la Bande Dessinée de l'Actualité, a current

affairs cartoon-strip prize by jurists at France's Indo-radios stations. Critics say that it has a good chance of winning the Alpha prize, the top award at the annual comic book festival at Angoulême next week.

The strip tells the simple, and sometimes simplistic, tale of Dermot Doherty, a painter whose father is murdered by B-Specials and whose brother, Denis, becomes an IRA terrorist.

Dermot kills three British soldiers and is killed by the security forces, while Dermot's Protestant friend, Stephen Molloy, joins the IRA and dies on hunger strike in prison.

"Why do we fight each other?" Dermot asks. "We share the same

country, we wear the same clothes, like the same music." His girlfriend adds: "And we drink the same beer." But Dermot, who resembles an unkempt Gerry Adams, is dragged into the conflict in the wake of the Enniskillen bombing.

While France remains devoted to the tales of Asterix and Tintin, there is also an increasing interest in "comic book actuality", cartoon strips that tell realistic stories.

Lacroix, who left advertising to draw cartoon strips ten years ago, has also dealt with such subjects as the fall of the Romanian dictator Ceausescu and French involvement in Indo-China. He is working on a strip about the Algerian war of independence.

## Vigilante patrol against joyriders stamps IRA authority on West Belfast

VIGILANTES equipped with spiked chains and walkie-talkies have begun a clampdown on car thieves in West Belfast as the IRA attempts to tighten its control of republican areas.

Hundreds of masked men set up mini-roadblocks in the Poleglass and Twinbrook areas in an attempt to mete out republican justice to the "joyriders" who menace the city.

The vigilantes, who refuse to be named, deny that they are members of the IRA or

that they are controlled by the republican leadership. There are clear signs, however, that the so-called residents' groups set up to tackle joyriders are orchestrated by the leaders of the movement.

The widespread public anger about the joyriders, who put lives at risk and disturb residents with their high-speed races, has been exploited to strengthen republican authority. Republican leaders hope that the patrols will send a clear message to the police

■ Gangs of masked men who took to the streets at the weekend may have created more concern for the RUC than for the young car thieves they were after, Nicholas Watt reports

and to their own community that the IRA is in control of West Belfast, where its influence declined during the ceasefire.

The RUC faces a formidable task in policing the area after

the resumption of IRA terrorism. Officers who conducted patrols in ordinary panda cars during the ceasefire have returned to armoured Land Rovers and are usually accompanied by armed soldiers.

The first vigilante patrols in Twinbrook and Poleglass, last Friday night, included known members of Sign Fala. Up to 200 people congregated at a service station on the Stewarts Road at about midnight. They waited until just after 2am when the order was given to launch the patrols.

One group set off around the sprawling Twinbrook estate, the others headed for the hardline Poleglass area. As the republicans arrived in Poleglass, an RUC and

army patrol stopped to take their car registration numbers. But they allowed them to proceed, perhaps out of a desire to defuse the situation.

Just after 2.30am a new wave of the vigilantes took a stolen Vauxhall Calibra was driving towards Poleglass. The vigilantes, who carry spiked chains to puncture the tyres of stolen cars, split into groups to pursue the car. The group stopped drivers for questioning at the twinbrook Poleglass, be-

lieved, periodic patrols by the RUC and the Army. At the time, the vigilantes had been confronted with a car, told "The Vigilantes". "We don't want you in our area," said a man in a black hood.

March 1996, a writer from West Belfast who has conducted extensive research on joyriders, said that the youngsters were unlikely to be intimidated by the patrols. "The vigilantes are looking for a fight, not a confrontation," he said. "A lot of the damage that has been

done by joyriders has been against the Provisionals."

The RUC increased patrols at the weekend to deal with joyriders. The force is anxious that the vigilantes should not be seen to tackle the problem more effectively.

On Saturday morning two men were arrested in West Belfast when police stopped a stolen car with a Stinger device, a spiked chain which deflates tyres. Five more men were arrested close to the city centre.

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Scotland's leading peer embarrasses health minister with attack on treatment of NHS

## Vote Labour, urges duke whose brother is Tory MP

By Gillian Bowditch, Scotland Correspondent

THE premier peer of Scotland, the Duke of Hamilton and Brandon, has backed the Labour Party in a surprise move which will do nothing to calm the nerves of his brother, the Conservative minister Lord James Douglas-Hamilton, who faces a tough battle to keep his seat at the election.

The duke, Angus Alan Douglas-Hamilton, who succeeded his father in 1973, is deeply disillusioned with the Conservatives' stewardship of the National Health Service. "There's only one way to get rid of the Tories and that's to vote Labour," he said.

The duke, who lives in East Lothian close to the magnificent family seat of Lennoxlove, said he was desperately worried about another long period of Tory rule. In the same way as he was worried about more socialism in 1979, "There are a number of reasons for voting Labour. To me the most important is that they may

repair at least some of the damage done to the NHS in the past 17 years."

The duke, 58, said: "I'm on my way to see some people who have just come out of hospital and they should still be in hospital. I think what is happening to the NHS is appalling. It's the most frightening thing."

"The Conservatives have totally closed minds on this issue. There is no way they will listen to reason."

The duke is the first Scottish hereditary peer openly to support the Labour Party, which has given him a subdued welcome. His comments follow those of the Bishop of Edinburgh, the Most Rev Richard Holloway, who recently wrote an article in support of Labour.

The duke's comments are unlikely to please the Scottish Office, where his brother Lord James, 54, is minister of state with responsibility for home affairs and health. He has

been the Tory MP for Edinburgh West for 22 years but has a majority of only 879.

The duke insisted there was no animosity between them. "I'm sure he respects my views as I respect his. James is the most hard-working constituency MP, with one of the best voting records. Although I do not want to see the Conservatives back in office, I hope James retains his seat."

Yesterday Lord James was prepared only to point out that his brother could not vote in the election, a fact cheerfully acknowledged by the duke. "Unfortunately we in the House of Lords, along with lunatics and bankrupts, don't have the vote."

The duke has been entitled to sit in the Lords since 1973, but has not taken his seat for the current Parliament. He made his maiden speech in 1976 and is a crossbencher who has never taken the Conservative whip. Although he has voted with the Conser-

vatives on some issues, he has more often voted against them.

According to a spokeswoman for the House of Lords, he has not attended since 1990 and, in the year before that, attended only three times out of a possible 147.

Labour intends to abolish the voting rights of hereditary peers in the second chamber. The duke said: "I think it is very difficult to justify hereditary privileges. My only fear is that they will reform the House of Lords and make it worse."

The Douglas-Hamiltons are the cream of the Scottish aristocracy, able to trace their roots back to the 13th century. The first duke, a descendant of Mary, Queen of Scots, led an army into England on behalf of Charles I, but was overpowered and beheaded at Whitehall in 1649.

The duke, who is the 15th Duke of Hamilton and the 12th Duke of Brandon, holds



Lord James, right, faces a battle to save his Edinburgh West seat. His brother the duke, left, has called on voters to back Tony Blair for Prime Minister

14 subsidiary titles, including Hereditary Keeper of the Palace of Holyroodhouse and Hereditary Abbot of Arbroath. He is the only British aristocrat who holds a Scottish, an English and a French dukedom.

It is not the first time that the duke has embarrassed his Conservative brother. He has

five convictions for drink driving and, in 1993, was banned from driving for eight years. Lord James was the Scottish Office minister for transport at the time.

Michael Forsyth, the Scottish Secretary, said that the duke's remarks on the health service were "particularly extraordinary" as there had

been extra spending in real terms, and the Government was committed to this extra spending in the course of the next Parliament.

"The duke appears to have failed to notice that Labour has yet to make that particular commitment," he said.

Brown speech, page 10

## Navy to introduce random drug tests

By Michael Evans

THE Royal Navy is to introduce random drug testing from April 1 after two years of successful checks by the Army. A team of four inspectors will carry out random checks on Royal Navy and Royal Marines units on operation anywhere in the world.

The Navy carried out a two-year trial and, although it found only two cases of drug-taking among 3,000 personnel, the Navy Board decided to introduce a formal programme. Last year there were ten drugs convictions of navy personnel at courts martial.

The RAF is the only armed service not to have a policy of compulsory drugs checks. Last year 18 RAF personnel were discharged over drugs offences.

Twelve soldiers from The Black Watch have been given administrative discharges after failing drug tests.

More than 100 British troops in Bosnia-Herzegovina contract sexually transmitted diseases each month, according to an army document.

## The dangers of losing your cool on centre court



MEDICAL BRIEFING

Dr Thomas Stuttaford

WHILE people in Britain were dying of the cold last week, Australian Open tennis players in Melbourne were running around in temperatures that rose to 127°F. Steffi Graf needed treatment for mild heat exhaustion and was unable to give post-match interviews after she was beaten by the lean and muscular Amanda Coetzer, who was possibly injured by the conditions by being brought up in the South African sun.

Two common heat disorders are heatstroke and heat exhaustion. Heat exhaustion, which affected Graf, is the less serious of the two and gives plenty of warning. The sufferer becomes tired, loses muscular power, starts to sweat copiously and begins to lose concentration. It is inconvenient for a tourist, but disastrous for a tennis player. As heat exhaustion progresses, the sufferer becomes increasingly tired, before, in some cases, fainting.

Heatstroke is altogether more serious because the body's defence against excessive heat — sweating — is either absent or grossly diminished and the body's core temperature rises to dangerous levels. As it does so, the

respiratory rate rises alarmingly and the sufferer may have convulsions and, eventually, circulatory collapse.

Heat exhaustion can be prevented by treating the dehydration that is caused by excessive fluid loss through sweating. Youth, athletic fitness, a slim figure, little alcohol and time taken to adjust to the climate all help to protect athletes from the consequences of playing in unaccustomed temperatures.

It is no longer fashionable to take salt tablets as they can upset the stomach and cause more trouble than they prevent. However, large quantities of cool, slightly salty drinks are recommended. If players are going to be exposed to excessive heat for any length of time, the blood levels of other trace elements such as magnesium, potassium and calcium should also be checked and corrected.

After the event, the exhausted athlete should be given frequent small amounts of cool saline drinks and encouraged to lie down; if they are feeling faint, the feet should be raised slightly to be higher than the head. Sufferers rarely need to be cooled artificially, as sweating keeps their core body temperature at normal levels. Intravenous therapy to restore blood levels is rarely needed in cases of heat exhaustion.

After heatstroke, however, the patient needs rapid emergency cooling to bring down the temperature, and admission to hospital.

A third condition, heat cramp, can afflict those playing games in very hot weather. The extremely painful muscle condition is the result of sweat loss, causing low blood-salt (sodium) levels, and can be prevented by taking frequent sips of weak saline drinks.



Coetzer, raised under the South African sun

Graf jail threat, page 13

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Brown secured maximum impact for announcement designed to outflank the Tories

# How inner circle plotted tax declaration in secret

By Philip Webster and Jill Sherman

ONLY seven people knew at the start of last week that Gordon Brown would announce to millions of radio listeners yesterday that Labour would not raise the standard or top rates of tax for at least five years.

Secrecy was paramount if the disclosure was to make maximum impact and take the Tories by surprise. Military planning and a measure of subterfuge were essential.

A summit between the Shadow Chancellor and Tony Blair at the Labour leader's Islington home on Sunday, January 5, cleared the way. It was at that meeting that Mr Brown finally agreed with Mr Blair's view that raising the top rate of tax would give the wrong signal of Labour's intentions. Mr Brown had for months flirted with the idea of bringing in a 50p rate for those earning more than £100,000 a year.

In return Mr Blair agreed with Mr Brown that he should have the maximum room for manoeuvre on areas other than personal tax rates. Mr Brown is not expected to rule out other ways of raising money. At the launch of the new Labour campaign document the following Wednesday the air was heavy with hints that there would be no new top rate.

On Friday, January 10, Mr

Brown, Ed Balls, his senior economic adviser, and Charlie Whelan, his press secretary, agreed that they should get the tax announcements out, along with the new tough spending framework, as swiftly as possible. Yesterday's speech to the Labour finance and industry group was the obvious place to do it.

The strategy was readily endorsed at a meeting in Mr Blair's office last Monday. By then the prospect of an early election was gaining ground and the leadership wanted its "no higher personal taxes" message in front of the voters for as long as possible. It also wanted to blunt a new Tory campaign accusing it of dithering on tax.

The Shadow Cabinet at its meeting last Wednesday was given a broad outline of Mr Brown's programme of speeches, but nothing to suggest that he was planning his big tax announcement yesterday. Mr Brown was behaving with all the circumspection of a Chancellor in office.

Political correspondents had been led to believe that his speech would cover spending and that the tax news would be saved up for a later address at the end of February.

The reality was very different. Mr Brown and his staff spent most of the weekend in his office just off Westminster

Hall preparing and executing their operation. On Sunday night it was time to tell the Shadow Cabinet. He telephoned all of them, swearing them to secrecy. The handful he failed to reach were told yesterday morning.

In his speech, Mr Brown made the following main points:

**Tax rates:** A Labour government would use the tax system to encourage employment and opportunity. "We want to send the clearest possible signal that we want to encourage employment and work, not penalise it. The Conservatives try to claim that Labour will penalise work and success by raising taxes. Nothing could be further from the truth. Because we want to encourage work, and after 22 tax rises since 1992 which have hit hard-working families, I want to make clear that a Labour government will not increase the basic rate of tax."

"It is because we understand the importance of work that there will be no return to penal marginal tax rates at the top. As a signal of the importance we attach to rewarding work, I want to make clear that I will not increase the top rate of tax."

He added: "My tax cutting ambition is to introduce a new lower starting rate of tax of 10 pence to encourage work to

and to help all hard-working families."

**VAT and tax dodgers:** "In 1994, I reaffirmed that we would not extend VAT to food, children's clothes, books and newspapers and public transport. That remains the position... We will continue the Treasury's assault on tax loopholes, abuses and anomalies."

**Windfall Tax:** "As I have made clear, this is a one-off measure which affects only the privatised utilities. I can confirm that the levy will be introduced in a first Labour Budget."

**Public Spending:** The new manifesto would include no new spending commitments. In the first year of a Labour government, departmental ministers would have to overhaul their existing budgets. "The overriding spending issue for a Labour government will not be whether to spend an extra £1 billion here or there but whether we are using the existing £300 billion of total public spending efficiently and in a way which meets Labour priorities."



Gordon Brown: "I want to make clear that a Labour government will not increase the basic rate of tax"

## Hard decisions for man at No 11

By Janet Bush  
ECONOMICS EDITOR

THE government spending plans laid out in November's Budget will be extremely hard to meet, whether the man with the keys to 11 Downing Street after the election is Kenneth Clarke or Gordon Brown.

widely shared by City economists who argue that difficult decisions will have to be made on spending, whichever party is in power.

The long-range path of spending set by Mr Clarke represents an unprecedentedly tight squeeze on the public purse. Over the lifetime of the current Conservative Government, average growth in government spending has been 2 per cent a year. But spending over the four years is assumed to grow by just 1.3 per cent in total, an annual average of little more than 0.3 per cent.

Economists at Deutsche Morgan Grenfell noted that the current Government's record on controlling spending has been good but even the tough regime imposed by Mr Clarke and William Waldegrave, his lieutenant at the Treasury, had not achieved the toughness of spending implied in the latest

plans. The Chancellor's Budget spending plans look even more difficult to hit when Mr Clarke's economic forecasts, particularly his prediction of inflation, are taken into account.

Mr Clarke assumed inflation to be only 2 per cent in the fiscal year starting in April right through to the millennium, a full 1 per cent lower than he had expected previously. Economists at HSBC James Capel calculate that the Chancellor would have had to cut spending by £2.5 billion in 1997-98 and by £3.5 billion in each of the following three years simply to leave real spending where it was.

In addition, the November Budget contained some imaginative accounting wheezes that allowed Mr Clarke to publish very tight spending plans but which have excited widespread scepticism in the City. Among these were the

one-off sale of Ministry of Defence married quarters and the student loan book which counted as negative spending. They cut spending plans by £700 million and £1.7 billion respectively.

Then there was the "Spend to Save" plan, aimed at reducing fraud and tax evasion. The Government said that this would cost £300 million over the next three years but is predicted to recoup £6.7 billion.

Although the City broadly agreed that "Spend to Save" is a good idea, economists were very doubtful that the Government would achieve the savings that its public spending plans assume.

Andrew Dilnot, director of the Institute for Fiscal Studies, said it was cheeky and somewhat odd to include these hoped-for savings into the Government's tax and spending plans.

## Skilful speech leaves room for manoeuvre

Gordon Brown has set himself a demanding tax and spending objectives as Chancellor. On the face of it, holding public spending within existing targets for the next two years and avoiding any increase in the basic and top rates of tax looks too good to be true. So it will be unless Mr Brown can change entrenched Labour attitudes on public spending, though he has left himself with some room for manoeuvre than yesterday's Iron Chancellor headlines implied.

Mr Brown's speech was a skilfully orchestrated attempt to reassure financial markets and the public. But it has credible as Labour claims to hold spending within tight limits when the Tories have only succeeded in doing so by introducing measures to cut social security entitlements which Labour has opposed. Indeed, the Government's plans for 1998-99 assume further cutbacks of the same type, while yesterday's rumblings from union leaders indicate how hard it will be to compress the current tight squeeze on public sector pay. And, as many commentators and the Commons Treasury committee would add, the Government's existing spending plans rely on over-optimistic assumptions and may be very hard to achieve.

In the immediate aftermath of the election, Labour might succeed in holding down spending for the year starting this April, the real problem

will be over 1998-99. Mr Brown's promise to stick to existing plans for that year is intended to prevent arguments about increasing the total and instead to focus departments on relocating spending within Budgets. This will be accompanied by a comprehensive review of the allocation of resources by the Cabinet's EDX committee chaired by the Chancellor and backed by a team of Treasury officials. This sounds rather like what the original think-tank the Central Policy Review Staff did in the 1970s.

To achieve these aims will require cuts in some programmes to pay for expanded health, education and other priority areas. Where some ideas have been put forward in education, such as abolishing the Assisted Places Scheme and switching money for the over-16s. But Labour has yet to show it would be as tough as Peter Lilley has been in social security; indeed, the party has protested at every attempt to secure savings. Mr Brown is stronger on his commitment to "radical reform of the welfare state" than on the details.


The other route is to increase private financing of public services. Mr Brown yesterday predictably criticised privatisation but then argued that the public interest did not always have to involve public spending but could be


in partnership with the private sector. He gave the examples not only of transport infrastructure but also of the proposed University of Industry. In practice, Labour will have to go down the road of private financing in education and welfare which the present Government has begun.

Mr Brown was careful to limit his tax pledges to the symbolically important areas of income tax rates and ruling out VAT extensions. But as Tory strategists were pointing out — and they should know given the Government's record since 1992 — that leaves plenty of ways to raise taxes.

Mr Brown promised to continue the assault on tax loopholes, abuses and anomalies started in the last Budget but refused to make "blanket commitments" on the 200 tax exemptions, reliefs and allowances in the system before "we know the true state of the public finances". He prudently avoided any comment on the future tax burden. Nonetheless, his speech seeks to make the next Labour government different from any of its predecessors in its spending and tax performance. Whether he succeeds will depend not just on his will — which is not in doubt — but on whether his colleagues accept these constraints. That would really be proof that Labour is a "new" party. It is still an act of faith.

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# A man's home is his castle, say bugging row peers

By James Landale and Alice Thomson

POLICE should be required to seek independent authorisation before entering and bugging a person's home except in an emergency, the House of Lords was told yesterday.

Lord McIntosh of Harrogate, Labour's deputy leader in the Lords, said that serious criminals must be pursued, but the principle that an Englishman's home is his castle must also be preserved.

Opening the report stage debate on the Government's Police Bill, Lord McIntosh said that Labour had recognised some of the arguments against the Bill and as such had last week laid amendments to change it. Labour had previously given its unqualified support.

"What is fundamental is that there should be not just independent judicial authority for intrusive surveillance but that it should be in advance. This is the difference between us and the Government," he said.

Labour's amendments would ensure prior authorisation for bugging of any premises rather than only a person's home. But Lord McIntosh added: "We recognise that from time to time there must arise occasions when the police must take

emergency action, where there is simply no time to go to a judge for approval before intrusive surveillance takes place."

He said that the Liberal Democrat amendment, for prior authorisation to be given by one of 540 circuit judges, would not work. They would not have the necessary experience of a handful of appointed commissioners, likely to be High Court judges, who would develop the expertise to make the decisions.

Lord McIntosh praised the Government's new amendments. "But they do not provide for the fundamental principle of prior judicial authorisation which is critical to our civil liberties in this country. We are concerned not just that serious crime should be pursued but also that we should preserve the principle that the Englishman's home is his castle and that officers of the State have no right to intrude into that home without some independent justification and independent authority."

Lord Rodgers of Quarry Bank, for the Liberal Democrats, said that a handful of commissioners would not be enough to handle the likely number of authorisations. In

1995, 1,300 bugging authorisations were given. "This process is cumbersome, unreliable and slow and would be unlikely to work."

He also criticised Labour's plan to give the commissioners the dual role of both authorising intrusive surveillance then reviewing their own decisions. Lord Rodgers said that his amendment, giving circuit judges the job of giving prior authorisation, was "clear, simple and narrow". He denied that the judges would lose their impartiality by getting involved in an investigation, nor would they be too busy, nor would they have to have any practical experience.

"One of our traditions, one of our freedoms is that the Englishman's home is his castle. If two traditions conflict, it is surely the freedom of the individual that should prevail."

Lord Callaghan of Cardiff agreed with the Government that the police's right to use intrusive surveillance should be given statutory authority. But he insisted that chief constables should be required to get prior authorisation from an independent authority.

"If the Security Service, the secret intelligence service and



Uneasy listening: Lords from all sides oppose use of surveillance equipment without independent authorisation

GCHQ [the intelligence gathering agency] are required to seek warrants before they invade private premises, why should the police be the only service excluded that duty?"

Lord Browne-Wilkinson, a senior Law Lord, challenged the Government's view that intrusive surveillance was already lawful and that the Bill simply gave the action a statutory basis. He said the Bill took away an individual's right to freedom from state interference in his property.

Lord Hutton of Llangrove, a senior Liberal Democrat lawyer, said: "Big Brother has finally arrived." He emphasised that under the Bill, the police would be able to bug anyone connected to a case, even if they were not suspected of a crime.

Lord Carr of Hadley, a former Tory Home Secretary, said that like Lord Callaghan he had been appalled to discover how much bugging had gone on with out his knowledge when he was in office. He called for reform but said the government Bill went wide

of the mark. "The police must not have sole responsibility for doing these awful deeds without judicial authority. If we allow it to go ahead, there is a strong chance that in 20 years from now our successors will look back and regard what we did as something of which we ought to be thoroughly ashamed."

Lord Marsh, a cross-bencher, and former Labour Cabinet minister, was one of the few to back Mr Howard. He said he was deeply concerned by the lack of trust the upper

house had in the police service. "There are bad eggs but there are bad judges," he said. "We now face crime on an extraordinary scale — we are not dealing with small group of petty criminals but with organised crime, terrorists and money launderers on a worldwide scale."

He begged the Lords to trust the police. "Police are risking their lives. If we have a lack of faith in our officers then we should be looking at a complete reorganisation of the police force."

At present if a police officer were discovered breaking in he could face a civil action for trespass or criminal prosecution for malicious damage. A break-in is a criminal offence only if it can be proved that there is intention to steal.

The Bill is intended to put covert surveillance by Customs, the RUC and the 43 police forces in England and Wales on a similar basis to that of M15, which, under the Security Service Act, can obtain warrants to enter houses.

The crucial difference between the two is that M15 officers will need the warrant of the Home Secretary before they can break into a person's home and plant listening devices and cameras.

## Police seek powers for usual practice

By Stewart Tendler  
CRIME CORRESPONDENT

POLICE would have full powers to enter private property, plant bugging devices and tap conversations in the pursuit of serious crime under the provisions of the Police Bill.

Police have carried out bugging operations for years, but with no statutory basis. They have been required to obtain authorisation from a chief constable or an assistant chief constable.

A confidential Home Office memorandum issued in 1984 says that police must believe they are dealing with a threat to life, suspects linked to serious or organised crime or the economic well-being of the nation. They must also believe that there is no other way of getting the information they need.

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The crucial difference between the two is that M15 officers will need the warrant of the Home Secretary before they can break into a person's home and plant listening devices and cameras.

The police powers will be subject only to the scrutiny of a commissioner, and unless the critics of the Bill have their way, this will take place after a warrant has been issued.

In London Scotland Yard has used break-ins regularly. Many chief constables in provincial forces say they authorise such actions very infrequently. Last year they united to press for legalisation after M15 was given powers to break in and bug. Chief constables feared that the service would take over police work.

## Opponents predict new law will face string of challenges

By Frances Gibb  
LEGAL CORRESPONDENT

CRITICS of the Police Bill have predicted a spate of legal challenges when it becomes law. They fear that bugging will be "the thin end of the wedge" and that the Bill will encourage the police to use more covert activities to achieve convictions.

Police and prosecutors have already been stretching the margins of what they can do in the legitimate pursuit of serious criminals. Earlier this year the House of Lords condoned police surveillance prac-

tices by holding, in the case of Sultan Khan, that a tape-recording could be used in evidence although the bugging device had been placed by police who had been trespassing. Under the Bill, police would have statutory backing in such a case and would not be regarded as trespassers.

Police obtained permission to bug the home of one of two men suspected of killing Grant Price, an accountant kidnapped in a car park and left to die on a Hampshire beach. The tapes convinced the jury that the men were guilty of murder.

In the private prosecution for murder brought by the parents of

Stephen Lawrence, the teenager stabbed at a bus stop in southeast London, video surveillance from inside the home of a suspect was shown in committal proceedings. The trial collapsed, however, and the tapes were not seen by a jury.

Police have been heavily criticised, however, for some operations involving bugging. Colin Stagg, who was charged with the murder of Rachel Nickell on Wimbledon Common, was acquitted after a judge ruled that an operation that involved bugging of conversations with an undercover policewoman amounted to entrapment, and was

therefore unlawful. The problem was not the bugging itself, but the way the undercover police officer sought to persuade Stagg to confess to the crime and the use that police then made of the conversations.

Courts have been swift to condemn such activities. But there is concern that they may be less willing to intervene when police have the backing of statute.

Similarly, fraud investigators have encountered difficulties after using their powers to compel suspects to answer questions, under threat of imprisonment, and then using the evidence obtained against

them. The European Court of Human Rights ruled that the rights of Ernest Saunders, former chairman of Guinness, had been violated by Department of Trade inspectors who acted in this way.

The court ruled that the use of the self-incriminating material by the inspectors was a breach of human rights. But if bugging yields incriminating evidence, and it is held to be admissible under the Police Bill, will it strengthen the hand of fraud investigators?

The provisions of the Police Bill have been compared with the European Convention of Human Rights by lawyers and held to be in breach. The Criminal Bar Association has argued: "In all other areas where the state is empowered to interfere with the privacy of the individual, the sanction of a judge, a magistrate or the Secretary of State is required. This applies to search warrants, warrants issued under section two of the interception of Communications Act and orders under section nine of the Police and Criminal Evidence Act 1984 allowing seizure of certain material." Without such safeguards, the prospect of challenges in Europe looks increasingly likely.

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# Show of power by Paris-Bonn axis outflanks Britain

FROM CHARLES BRENNER IN BRUSSELS

GERMANY and France yesterday brushed off Britain's conditions for a multispeed Europe in a show of force that underlined the gulf that divides London from the big EU powers in the drive to revamp the Maastricht treaty.

The German and French foreign ministers put aside current strains in the Bonn-Paris axis to stage a joint appearance in support of a scheme to allow EU states to pursue deeper integration even if others objected. "No member state should be able to block the way ahead by means of the veto," said Klaus Kinkel, the German minister. David Davis, the British minister for Europe, riposted with the Government's long-standing demand that each project for deeper integration must have the unanimous approval of members. "The EU is not a franchise operation," he said. If new joint actions could be launched simply by a majority, "this would act as a veto bypass, and that is not acceptable," he said.

Yesterday's exchanges, at the first session on the issue now at the heart of the treaty negotiations, dampened optimism sparked by declarations by John Major earlier this month that Britain's qualms over the EU could be settled through a formula for a multispeed Europe. Mr Davis appeared to scotch speculation

around the Continent that Mr Major would accept a compromise that would remove the veto from initiatives in certain policy areas.

Under Dutch chairmanship, the EU is aiming to produce a new treaty, setting the scene for enlargement to the east, at a summit in Amsterdam in June. Tony Blair has made it clear that, if elected, he would demand the same terms for a multitrack Union.

The 15 EU states effectively divided into two broad camps. A majority, led by Bonn and Paris, sees a veto-free flexibility clause as a way of "moving ahead" in voluntary arrangements for common action in such fields as immigration control, defence and economic policy, by sidestepping the potential objections of Britain and others.

"The Franco-German tandem will be the engine for further European integration," said Herr Kinkel. However, Britain, backed to some extent by Sweden, Denmark, Portugal and Greece, is worried that the system will promote a hard core of federal-minded states which act to the detriment of the others. Setting out British terms for backing any flexibility scheme, Mr Davis rejected the doctrine that all states would eventually join in deeper integration.

Italy yesterday presented its

own variation on the theme, calling for decision by qualified majority and a big role for the Commission. Like its southern neighbours, Rome is worried about being left out of a central EU core, clustered around Germany, which will be reinforced with monetary union. With tensions already running high over the march to the single currency, there are signs of growing resentment across the EU towards what is seen as Germany's increasing assertiveness.

France has fallen foul of Bonn with its insistence on a "political counterweight" to the power of the future European Central Bank, the steward of the euro. Hervé de Charette, the French Foreign Minister, yesterday played down the dispute and repeatedly stressed Paris's devotion to its partnership with the Germans and the health of their alliance.

Herr Kinkel said he was optimistic that Britain would come round to a compromise and that great allowance should be made for the imminent elections. "The United Kingdom needs time," he said. He said he had been shocked by the furore in Britain over his remarks last month on Britain's need to decide what it wanted in Europe. "I have always been the one to say that the United Kingdom belongs to Europe... it is part of Europe," he said.



Employees of Crédit Foncier attending a meeting in the bank's headquarters yesterday at which they voted to continue with their occupation

## Mediator tackles bank siege

Paris The French Government appointed a mediator to try to end the occupation of the Crédit Foncier de France bank's headquarters in Paris yesterday, as talks broke down and workers held senior bank officials hostage for a fourth consecutive day (Ben Macintyre writes).

The siege, by employees demanding that the Government abandon a plan to break up and sell off the indebted bank, started on Friday when 500 workers moved into the

building and refused to allow their bosses to leave, including the governor and four managers.

With allied unions and opposition Socialists now supporting the protesters, the dispute is turning into a fresh nightmare for Alain Juppé, the Prime Minister, who yesterday appointed Philippe Rouvillois, a former head of

the railways, to explore ways of breaking the deadlock.

Jérôme Meyssonier, the captive governor, broke off discussions with the unions yesterday and announced that he now considered himself a prisoner of his staff.

"He is free to do anything he wants, except leave," one union leader said. More than 1,000 of Crédit

Foncier's 3,000-strong workforce converged on the bank yesterday to oppose the Government's plans to sell off the bank's key business of low-cost housing loans and dismantle the rest.

Set up by Napoleon III in 1852, Crédit Foncier lost Fr10.8 billion (£1.3 billion) in 1995, necessitating an emergency rescue by the Government

which controls all senior appointments at the bank. Unions say the Government's proposals will mean the loss of hundreds of jobs.

M Meyssonier said he was looking for a way to avoid breaking up the bank, but said he could not continue negotiations as a hostage.

The governor has not asked for police intervention. As with the bankers' strike last month, the Government has seemed paralysed before the illegal union show of force.



Chirac: key objective

## Chirac pledges judicial shake-up

FROM BEN MACINTYRE IN PARIS

PRESIDENT Chirac last night promised a thorough overhaul of France's judicial system in a televised address aimed at restoring public faith in the legal process amid a host of corruption and party funding scandals.

M Chirac has declared that reconstructing the legal system will be one of the key reforms of his presidency, and he has emphasised the need to give the judiciary more independence and guarantee the right to be presumed innocent.

Facing allegations of government interference in judicial investigations into political corruption within his ruling

Gaullist party, M Chirac said last month that the time had come for a separation of powers between the *parquet*, the state prosecution service, and the Government. The *parquet* is under the direct control of the Justice Ministry, which appoints and promotes magistrates and judges.

"I think that today we must seriously examine the possibility of making the public prosecutor's office independent of the Justice Minister," M Chirac said, conceding there were doubts over judicial freedom from political meddling.

The President will today formally inaugurate a bipartisan 20-member com-

mission including lawyers, politicians and jurists, and probably headed by Pierre Truche, president of the Supreme Court. The commission will have six months to make recommendations for changing and improving the legal system.

The President also argued that the presumption of innocence was being "consistently flouted", since the details of corruption allegations are usually published long before cases come to trial. His emphasis on "presumption of innocence" may be a precursor to a clampdown on over-talkative investigating magistrates and the media.

## Paris jeweller parts with £2m in gems for sack of funny money

By BEN MACINTYRE

A TOP Paris jeweller was £2.6 million out of pocket, and possibly crippled with embarrassment yesterday after selling a fabulous array of gems for a sackful of cash that turned out to be "Walt Disney money".

The theft was set in train two weeks ago, when two Italians claiming to be working for an Arab prince approached the jeweller in the chic Place Vendôme and ex-

plained that their employer wanted to "launder" his profits from arms dealing by buying the most expensive pieces in the shop.

The jeweller, who has not been identified, readily agreed and a handshake was arranged for last Friday at midday by the Italian's suspicious sons at the Hotel Intercontinental, around the corner from the Place Vendôme.

In exchange for a suitcase of diamond bracelets and other

gems, the jeweller's representatives were handed a sack containing, at first glance, DM7 million (£2.6 million) in small denominations as a first instalment.

The jeweller's men left the gems in the bedroom of the hotel and went to bank the cash, to the hilarity of the clerks who pointed out that the notes had been stamped "Banknotes - Walt Disney". The thieves fled, presumably to Never Never Land.

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# Israelis attempt to revive Golan talks after Hebron pact

FROM CHRISTOPHER WALKER IN JERUSALEM

THE Israeli Government softened its stance yesterday on the future of the occupied Golan Heights as a concerted campaign was launched to profit by its pullout from Hebron and restart Israeli-Syrian peace talks.

David Bar-Ilan, the influential communications director to Benjamin Netanyahu, the Prime Minister, denied a report in *Le Figaro*, that he had told the French newspaper that the future of the Golan Heights — captured by Israel in 1967 — was "absolutely not" negotiable.

In an attempt to clear the way for a rapid reopening of talks with Damascus and to defuse Syrian anger, prompted by the French report, Mr Bar-Ilan said: "Netanyahu never said the Golan is non-negotiable. We are eager to get back to the talks."

The issue of the strategic plateau, overlooking the Sea of Galilee, is crucial to the future of stalled Israeli-Syrian talks. Since Mr Netanyahu's election last May, his hardline attitude on the area has been the main obstacle to the renewal of peace negotiations. They were broken off last February after a series of Islamic suicide bomb attacks against Jewish targets, giving rise to war jitters between Damascus and Jerusalem.

With his international and domestic standing boosted by the deal with the Palestinian Authority on Hebron, Mr Netanyahu told ABC television in an interview aimed at an American audience that he now thought Israel and Syria "will find a way" to resume the talks.

Both America and Egypt are closely involved in the new drive to engineer an Israeli-Syrian peace deal which US officials regard as the linchpin of any comprehensive peace in the Middle East.

All recent efforts to resume talks have foundered on the



insistence by President Assad that Syria would only return to the table if Israel honoured the pledge, given by the previous Labour Government, to hand back the whole of the Golan Heights.

President Clinton, who was sworn-in for a second term yesterday, is expected to meet separately with the leaders of Israel, Egypt and Jordan in coming weeks. Israeli officials said Israeli-Syrian peace talks would be high on the agenda.

The Tel Aviv paper, *Yediot Aharonot*, said: "Washington has started to explain and 'sell' the Hebron agreement to all Arab capitals, including Damascus. The main message: it has been proven that Netanyahu is reliable, and can produce a parliamentary majority, despite Cabinet pres-

sures, even when the subject at hand is a difficult concession in the [occupied] territories."

Egypt is already working to bring the two sides back to the table. It has suggested that Damascus would agree to resume talks if Mr Netanyahu, who has been the target of bitter attacks in the official Syrian media, accepts the general principle of "land for peace".

Smadar Perry, the paper's Arab affairs correspondent, said: "From Cairo it was relayed that should Netanyahu accept the proposal, President Mubarak would announce his willingness to visit Israel. Over the weekend, President Assad sent his deputy and his Foreign Minister to meet with President Mubarak in Cairo. This discussion lasted several hours and involved an analysis of the Hebron agreement, and the formulation for the resumption of talks between Israel and Syria."

Ms Perry added that both the Syrian officials had relayed "a clear message" concerning Damascus's willingness to resume talks with Israel as soon as possible. One proposal is that they should start next month after the end of the Muslim fasting month of Ramadan and the ensuing festivities.

The diplomatic efforts have been boosted by calls from Yasser Arafat, the Palestinian Authority President, for a wider peace to follow the Hebron pullout. Damascus radio, meanwhile, disclosed that a full agreement with the previous Labour Government had been "near completion" at the time that the talks, conducted at Wye Plantation in Maryland, America, broke down.

The Israeli paper, *Haaretz*, said in an editorial after Israel's withdrawal from 80 per cent of Hebron that Syria should conclude that "the actions of the Netanyahu Government... do not reflect its tough rhetoric".

## Settlers say 'we will stay'

Hebron: About 2,000 settlers gathered here yesterday to mourn Israel's handover of the town to Palestinian forces whom the settlers called "murderers". The sombre gathering was in stark contrast to Palestinian celebrations at the weekend to mark their liberation from 30 years of occupation. Netan Aharoni, for the settlers, said: "We will stay here." (Reuters)

## Turks warn Cyprus on bases

FROM MICHAEL THRODOULOU IN NICOSIA

TURKEY yesterday threatened to build air and naval bases in northern Cyprus unless Greece abandons plans to establish facilities in the southern half of the island.

Greek Cypriot leaders insisted that they would not bow to Turkish pressure and accused Ankara of looking for new pretexts to keep tension high in the wake of a recent "missile crisis".

"With air and navy bases, Greece is encroaching itself in southern Cyprus, and in the event that such activity continues, work will begin to establish in the Turkish Republic of Northern Cyprus similar air

force and naval facilities," President Demirel and Rauf Denktas, the visiting Turkish Cypriot leader, said in a statement in Ankara. Turkey has 30,000 troops in northern Cyprus.

Alexis Michalides, Cyprus's Foreign Minister, said: "They are just trying to find new reasons to keep tensions high. For us there is one target, and that is the earliest possible engagement on [diplomatic] efforts to solve the Cyprus problem. We cannot waste time on threats."

Cyprus, which has a defence pact with Athens, is

expanding a civilian airport near Paphos to host Greek F16 warplanes in the event of hostilities with Turkey. Mr Michaelides said a naval base was still only at the planning stage.

Diplomats said that Turkey's chief concern is that Greece is establishing a military presence on its southern flank.

Mr Denktas arrived in Turkey yesterday for talks about Greek Cypriot plans to buy Russian anti-aircraft missiles. President Clerides of Cyprus had said that the \$300 missiles would not be delivered for at least 16 months.



Steffi Graf on her way to a crushing defeat in the Australian Open this week

## Father's trial puts heavy strain on tennis superstar

FROM ROGER BOYES IN BONN

GERMANY'S showcase trial approached its climax yesterday as defence lawyers pleaded for a mild sentence on the father of Steffi Graf, 27, the tennis player.

A verdict of tax evasion against Peter Graf, 60, is likely to be passed on Friday. The question nagging the Germans is what effect a tough jail term might have on his daughter, whose performance is already beginning to falter. A crushing defeat in the Australian Open marked only the second time in 12 years that she has failed to reach the quarter final in one of tennis's big four tournaments.

Sports coverage in the German press has started to think the unthinkable: that the era of Steffi Graf, Germany's most consistently successful sports star, may be coming to a close.

At the heart of the problem, apart from the sheer physical wear-and-tear of so many years on the circuit, is the intimate relationship with her father. Peter Graf's lawyers said yesterday that his erratic handling of his daughter's taxes was not prompted by "crude self-interest", but rather

was an attempt to shield her from an "excessive tax burden" that would have taken away up to three quarters of her earnings.

The judge, Kurt Himmelsbach, a defence lawyer, said, should take into account the culpability of the German inland revenue, which acted slowly and in a way that seemed to encourage Herr Graf to believe that he was acting within the law. The prosecutors' demand for a six years nine months jail sentence was "immoderate".

Herr Graf, who admitted partial guilt at the outset of the trial, served 15 months on remand before being released on bail. To stand a chance of walking free on Friday he would have to be given a sentence of 30 months or less.

The trial has revealed much about the inner workings of the international tennis circuit, but it stopped short of implicating Steffi Graf herself. Chiefly it exposed some of the weaknesses of her father, a used car salesman paddling out of his depth, drinking heavily, dependent on tranquillisers, imagining insults and taking umbrage

when sports officials failed to show him respect.

Steffi Graf played strongly throughout the trial, but friends said that she was bottling up her emotions. Her father shaped her in the classic manner of ambitious tennis fathers: he sawed the handle off a racket when his daughter was three years old and encouraged her to whack the ball around the living room using the sofa as a net. She received a prequel for 20 consecutive good strokes, while 50 strokes was worth a scoop of ice cream.

A biography, *Rich Steffi. Poor Child: the Graf File*, shows how Herr Graf used his daughter's success to bolster his own self-esteem and how he would occasionally slap her if she missed a shot.

The book and the trial evidence made upsetting reading for Germans who have come to view her as the model sportswoman. Part of the myth was that the perfect athlete should have a perfect family: as stories about Peter Graf's womanising filtered through to the public, it became obvious that that was an impossible dream.

## Yeltsin leaves hospital as calls grow for resignation

FROM RICHARD BEESTON IN MOSCOW

PRESIDENT YELTSIN was discharged from hospital last night and sent home to recuperate, from double pneumonia and to start the recovery of his lost credibility as Russia's head of state.

The ailing Russian leader, who has put in barely a week's work at his Kremlin office since being re-elected seven months ago, set off for his country home where he will remain under medical supervision.

Sergei Yastrzhembsky, his spokesman, said that Mr Yeltsin was getting better and could carry out a few hours' work a day. But there was no indication how soon the Russian leader would be able to resume his full duties and most of the nation will remain doubtful until he reappears in public.

"One should not expect a forceful return of Boris Nikolayevich [Yeltsin] to full-time work, including a

return to the Kremlin," the spokesman said. The Kremlin's cautious message did little to silence the growing chorus of criticism from politicians and the public who are calling on the President to resign because he is unfit for office.

As Mr Yeltsin will discover when he does return to work, the political landscape in Russia has altered during his absence and has become far more hostile to his leadership.

Last year the nation, including the Opposition, waited for the outcome of his heart-bypass operation before deciding what tactics to employ against him. This time, however, there is a consensus that President Yeltsin will never fully recover from his ailments and that a leadership contest is inevitable.

General Aleksandr Lebed has provided the most striking example of this change of mood. Although ignored for

the past few weeks, he is back in the headlines, promising he will be President this year. His message is all the more galling for the Kremlin because he has taken his campaign abroad, first to Germany and now to America.

The other figure who has moved out of the shadows and into the spotlight is Yuri Luzhkov, the Mayor of Moscow, who is openly courting the nationalist vote. Last weekend he made a highly controversial visit to Sevastopol, the Crimean port city now part of Ukraine, which he claimed as Russian to the anger of the authorities in Kiev.

Aside from the succession race, President Yeltsin is being deserted by some of his most loyal allies, particularly in the liberal press. Two mass-circulation dailies, which supported him last year, have warned him that, unless he can resume his duties, he should make way for someone else.

## Argentine relatives to visit Falklands

BY MICHAEL BINYON, DIPLOMATIC EDITOR

SOME members of families of the 234 Argentine soldiers killed in the 1982 Falklands conflict arrive tomorrow for a controversial visit to the Argentine war cemetery. It will be only the second such visit.

Fifteen close relatives of the fallen soldiers will arrive at Mount Pleasant on a charter flight from Rio Gallegos in southern Argentina. They will have almost no contact with the Falklanders, staying for only one night at Darwin Lodge, a remote, disused tourist lodge that has stood empty for more than a year and has been refurbished for the visit.

A second group of relatives will make a similar visit next month. As a result of the continued Argentine claim to the islands, Argentine passport-holders are not normally allowed to enter the Falklands.

The only previous large-scale visit was in 1991 by 354 Argentine next-of-kin, under the auspices of the Interna-

tional Committee of the Red Cross. The immediate family of a pilot shot down during the fighting was allowed in when his body was discovered in October 1995.

President Menem of Argentina yesterday played down a report in an Argentine newspaper that he would ask President Clinton to mediate in his country's claim to the islands. On Monday *Clarín*, the biggest-selling paper, said he would raise the issue during Mr Clinton's visit to Buenos Aires in March. But Senior Menem said he would merely repeat a request made in Washington last December, similar to one made to President Bush, that Washington should help on the sovereignty question.

Guido Di Tella, the Argentine Foreign Minister, said yesterday he was optimistic relations with Britain would continue to return to normal on all matters except the islands' sovereignty.

his multiple heart bypass operation. Mr Yeltsin was discharged yesterday, but is expected to spend several days convalescing.

Sergei Yastrzhembsky, the Russian presidential spokesman, said after yesterday's talks that the meeting was only a "prologue" and that expectations should not be too high.

Before the talks started, Nato officials said Senior Solana would be bringing a series of proposals on greater flexibility in arms control and increased military co-operation.

## Russia seeks concessions from expanding Nato

FROM ROBIN LOUCE IN MOSCOW

RUSSIA and Nato took the first wary steps yesterday towards establishing a new framework for relations at talks in Moscow between Yevgeni Primakov, the Russian Foreign Minister, and Javier Solana, the alliance's Secretary-General.

However, there was no sign of a breakthrough on Moscow's objections to Nato plans for expansion eastwards.

"This is round one in an effort to develop the Nato-Russia relationship," John Lough, a spokesman for the alliance's Moscow office, said. "We are looking to reassure the Russians that enlargement does not threaten Russia's interests."

The two sides are trying to reach agreement before the Nato summit in July, at which the alliance is expected to issue formal membership invitations to the Czech Republic, Hungary and Poland.

Analysts say that, while Russia is

resigned to the inevitability of this first stage of Nato enlargement, it is determined to wring as many concessions from the alliance as possible. These include limits on the number of countries that will eventually join, delays in the enlargement schedule and a guaranteed say in issues affecting Moscow's "vital interests".

The success of negotiations has also been hampered by the absence of President Yeltsin, who was readmitted to hospital on January 8 with double pneumonia, two months after

1	The Lord of the Rings	J.R.R. Tolkien
2	Nineteen Eighty-Four	George Orwell
3	Animal Farm	George Orwell
4	Ulysses	James Joyce
5	Catch-22	Joseph Heller
6	The Catcher in the Rye	J.D. Salinger
7	To Kill a Mockingbird	Harper Lee
8	One Hundred Years of Solitude	Gabriel Garcia Marquez
9	The Grapes of Wrath	John Steinbeck
10	Trainspotting	Irvine Welsh
11	Wild Swans	Jung Chang
12	The Great Gatsby	F. Scott Fitzgerald
13	Lord of the Flies	William Golding
14	On the Road	Jack Kerouac
15	Brave New World	Aldous Huxley
16	The Wind in the Willows	Kenneth Grahame
17	Winnie-the-Pooh	A.A. Milne
18	The Color Purple	Alma Walker
19	The Hobbit	J.R.R. Tolkien
20	The Outsider	Nathaniel Hawthorne
21	The Lion, the Witch & the Wardrobe	C.S. Lewis
22	The Trial	Franz Kafka
23	Game with the Wind	Margaret Mitchell
24	The Hitchhiker's Guide to the Galaxy	Douglas Adams
25	Midnight's Children	Salman Rushdie
26	The Diary of Anne Frank	Anne Frank
27	A Clockwork Orange	Anthony Burgess
28	Sons and Lovers	D.H. Lawrence
29	To the Lighthouse	Virginia Woolf
30	If This Is a Man	Primo Levi
31	Lotus	Madeline Nelson
32	The Wasp Factory	Ian Banks
33	Remembrance of Things Past	Marcel Proust
34	Charlie and the Chocolate Factory	Roald Dahl
35	Of Mice and Men	John Steinbeck
36	Beloved	Toni Morrison
37	Poison	A.S. Byatt
38	Heart of Darkness	Joseph Conrad
39	A Passage to India	E.M. Forster
40	Waterhouse Down	Richard Adams
41	Sophie's World	Joostein Gaarder
42	The Name of the Rose	Umberto Eco
43	Love in the Time of Cholera	Gabriel Garcia Marquez
44	Rebecca	Daphne du Maurier

The 100 GREATEST BOOKS of the 20th CENTURY. How many HAVE YOU READ?

45	The Remains of the Day	Kazuo Ishiguro
46	The Unbearable Lightness of Being	Milan Kundera
47	Birdsong	Sebastian Faulks
48	Howards End	E.M. Forster
49	Brideshead Revisited	John Fowles
50	A Suitable Boy	Vikram Seth
51	Dune	Frank Herbert
52	A Prayer for Owen Meany	John Irving
53	Perfume	Patrik Suskind
54	Doctor Zhivago	Boris Pasternak
55	Guernica	Pablo Picasso
56	Cider with Rosie	Laurie Lee
57	The Bell Jar	Sylvia Plath
58	The Handmaid's Tale	Margaret Atwood
59	Testament of Youth	Vera Brittain
60	The Magus	John Fowles
61	Brighton Rock	Graham Greene
62	The Ragged-Triumphed Philanthropist	Robert Tresselt
63	The Master and Margarita	Mikhail Bulgakov
64	Tales of the City	Armand Maupin
65	The French Lieutenant's Woman	John Fowles
66	Captain Corelli's Mandolin	Louis de Bernieres
67	Shogun	John Manovic
68	Zen and the Art of Motorcycle Maintenance	Ravi Pring
69	A Room with a View	E.M. Forster
70	Lucky Jim	Kingsley Amis
71	It	Stephen King
72	The Power and the Glory	Graham Greene
73	The Stand	Stephen King
74	All Quiet On The Western Front	Erich Maria Remarque
75	Paddy Clarke Ha Ha Ha	Roddy Doyle
76	Madiba	Ronald Dahl
77	American Psycho	Bret Easton Ellis
78	Fear and Loathing in Las Vegas	Hunter S. Thompson
79	A Brief History of Time	Stephen Hawking
80	James and the Giant Peach	Roald Dahl
81	Lady Chatterley's Lover	D.H. Lawrence
82	The Bonfire of the Vanities	Tom Wolfe
83	Complete Cookery Course	Julia Smith
84	An Evil Cradling	Brian Kavanagh
85	The Rainbow	D.H. Lawrence
86	Down & Out in Paris and London	George Orwell
87	2001: A Space Odyssey	Arthur C. Clarke
88	The Tin Drum	Gunter Grass
89	A Day in the Life of Ivan Denisovich	Alexander Solzhenitsyn
90	Long Walk to Freedom	Nelson Mandela
91	The Selfish Gene	Richard Dawkins
92	Jurassic Park	Michael Crichton
93	The Alexandria Quartet	Lawrence Durrell
94	Graveyard Book	Neil Gaiman
95	High Fidelity	Nick Hornby
96	The Van	Roddy Doyle
97	The BFG	Roald Dahl
98	Earthly Powers	Anthony Burgess
99	I, Claudius	Robert Graves
100	The Horse Whisperer	Nicholas Evans

If you haven't read all the 100 greatest books of the century (as voted by Waterstones' customers and Channel 4 viewers), you've still got something to look forward to. If you haven't read most of them, you've got some catching up to do. If you've hardly read any of them, welcome to the twentieth century.

For an indication of where you might like to start, try the thoughts of some well known names reviewing highlights of the list every evening this week at 7.55pm on Book Choice on Channel 4.

If the greatest books of the century are a source of riches, Waterstones, you'll be pleased to know, won't impoverish you. From now until the end of February, you can buy any four titles from the list for the price of three.

If you can't tick the books, at least you can tick the bootshop.

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Chastened President pledges 'government that is smaller and lives within its means'

## Clinton sets tone for new century with racial harmony plea

FROM TOM RHODES AND BROWN MADDOX IN WASHINGTON

AMID the tightest security Washington has ever seen for a swearing-in ceremony, Bill Clinton intoned the 35 words of the presidential oath before turning to hug his wife, Hillary, and daughter, Chelsea.

The rest was pure pageantry, a morality play staged at the heart of the American capital, and one which comes as close to a coronation as the Constitution will permit.

For Mr Clinton, the first Democrat to be sworn in for a second term since Franklin Roosevelt and only the nineteenth President in the republic's history, the 53rd inaugural ceremony was the climax of his triumphant comeback. After a turbulent first term, dogged by bitter partisan squabbling and inquiries into his public and private behaviour, his political fortunes seemed shattered two years ago when Republicans seized control of Congress for the first time in 40 years.

Before the swearing-in, the First Family attended a prayer service at the Metropolitan AME Church, a mainly black church in the heart of Washington. The prayers concluded

### CEREMONY

with a vibrant rendition of *Amazing Grace*, the President's favourite song.

Later, on the steps of the Capitol, he slipped off his coat to take the oath from Chief Justice William Rehnquist. As cannon fired a salute, he turned and kissed his wife and daughter. Moments earlier Al Gore had taken the vice-presidential oath. He hopes to succeed Mr Clinton.

Mr Clinton, whose inauguration coincided with a national holiday to honour Martin Luther King, the assassinated black civil rights leader, made racial divisions his main theme. "Each new wave of immigrants gives new targets to old prejudices", but "Americans must not succumb to the dark impulses that lurk in the far regions of the soul".

He also called for political harmony. To cheers, he proclaimed that, although Americans had chosen a Democratic President and a Republican Congress, they would not tolerate "petty bickering".

The lessons of his first term were evident in the speech. Four years ago he emphasised "the power of government"

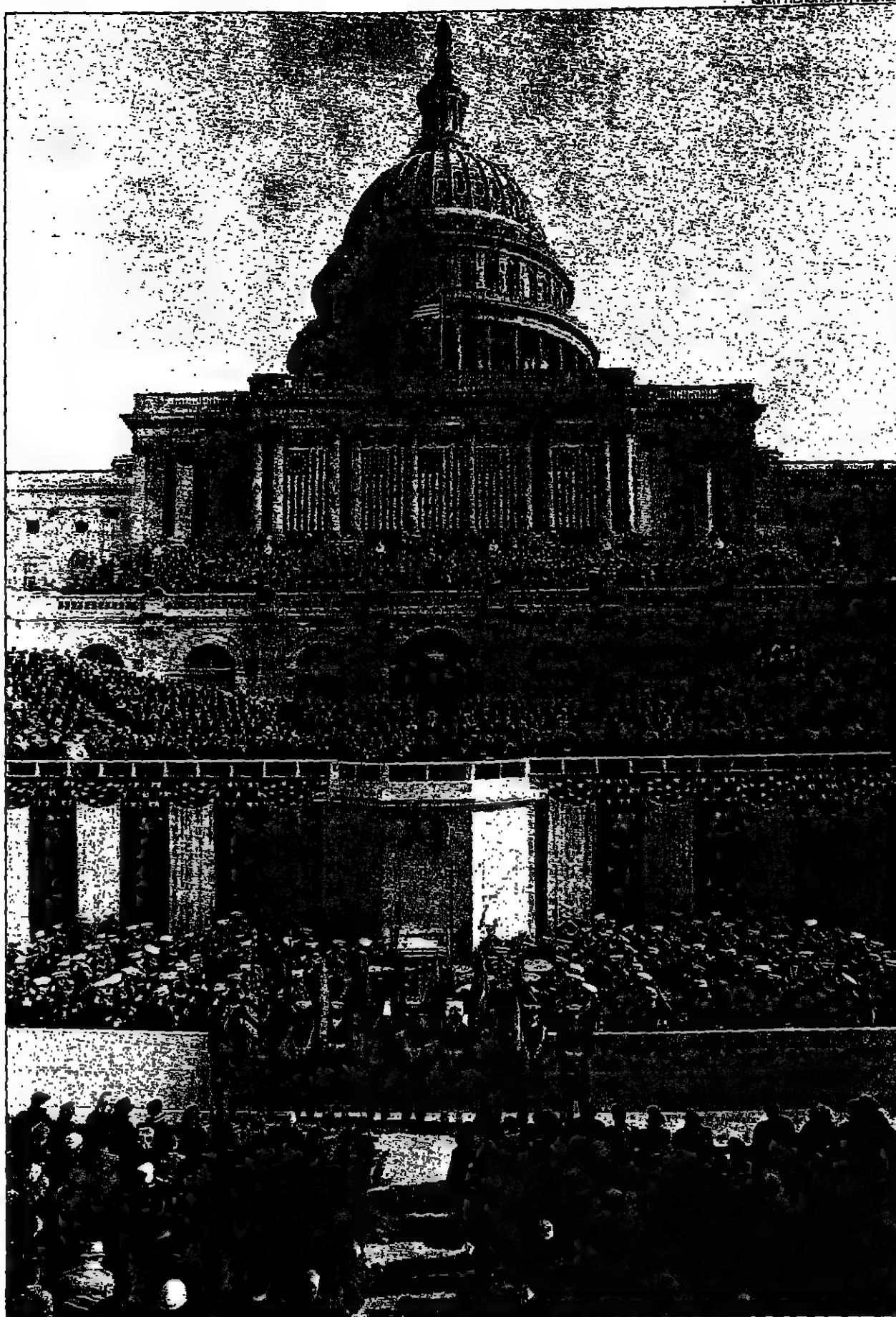
and called for "dramatic change". Yesterday, in sharp contrast, he promised "a government that is smaller, lives within its means, and does more with less". But at the same time, government should "stand up for our values and interests around the world".

In his conclusion, he returned to his favourite campaign metaphor of a bridge to the 21st century. "Let us build our bridge, wide enough and strong enough for every American to cross over to a blessed land of new promise."

Nevertheless, there was a mood of introspection as the first four years had failed to fulfil the expectations of so many loyal supporters. "It's much more subdued than it was in '93," said Joline Davis, who had travelled from Austin, Texas, for the occasion. "I think we had all hoped for so much more."

The view was one which has been repeated throughout Washington in recent days. The President's popularity is the highest it has ever been. The economy is strong. But many remain unsure of what, if anything, Mr Clinton hopes to achieve in his new term.

Leading article, page 19



The packed steps of the US Capitol were decked out in bunting as President Clinton delivered his inaugural address yesterday, becoming the first Democrat to be sworn in for a second term since Franklin Roosevelt.

## Freedom's flame 'has to be kept alive'

EXTRACTS from President Clinton's inaugural speech.

At this last presidential inauguration of the 20th century, let us lift our eyes toward the challenges that await us in the next century.

It is our great good fortune that time and chance have put us not only at the edge of a new century, in a new millennium, but on the edge of a bright new prospect in human affairs. A moment that will define our course, and our character, for

decades to come. We must keep our old democracy forever young. Guided by the ancient vision of a promised land, let us set our sights upon a land of new promise.

The promise of America was born in the 18th century out of the bold conviction that we are all created equal. It was extended and preserved in the 19th century, when our nation spread across the continent, saved the Union and abolished the awful scourge of slavery. Then, in turmoil and triumph, that promise exploded onto the world stage to make this the American century.

And what a century it has been. America became the world's mightiest industrial power; saved the world from tyranny in two world wars and a long Cold War; and time and again reached out across the globe to millions who like us longed for the blessings of liberty.

May these generations whose faces we cannot yet see, whose names we may never know, say of us here that we led our beloved land into a new century with the American Dream alive for all her children. With the American promise of a more perfect union: a reality for all her people. With America's bright flame of freedom spreading throughout all the world.

## Brake applied to highway star

FROM QUENTIN LETTS IN NEW YORK



Goldberg: in time

IT TOOK the level-headed highway cops of New Jersey to remind Bill Clinton's people and the actress, Whoopi Goldberg, that yesterday's inauguration was not the most important event on Earth.

Miss Goldberg, being black, female, well-known and left-wing, was a natural selection to co-present one of the inauguration galas in Washington. The only snag was that she is currently rehearsing in New York for a Broadway role and prefers not to fly.

To whisk her down to the capital, the White House organised a high-speed, dark-windowed limousine and requested police outriders for the 200-mile journey through New York, New Jersey, Delaware and Maryland.

"Sure," said New York, Delaware and Maryland. "Er, no," said New Jersey, which is the only one of the states with a Republican governor. When the Goldberg motorcade reached the New Jersey state line it had to observe the speed limit and do without the blue lights and sirens. She still arrived in time.

## Love factor revealed in Lima siege

BY GABRIELLA GAMINI SOUTH AMERICA CORRESPONDENT

BEHIND the five-week hostage siege in Lima is one guerrilla's resolve to free the woman he loves, as well as all his comrades from tiny, cell-like prison cells, where cholera and tuberculosis are rife.

"There's a love story behind the rebel assault on the Japanese Ambassador's residence," said Javier Diaz Canseco, a Peruvian congressman, who was among the hostages released from the residence. Seventy-four people are still held by the Marxist Tupac Amaru guerrillas. "It's not just a political quest but a personal one. So the chances of a surrender are remote," he added.

Nestor Cerpa Cartolini, 43, is not just driven by ideology. The rebel commander has vowed to "sacrifice all" in an attempt to free his imprisoned comrades, and among them the woman he used to live with, and the mother of their son, aged ten, and four-year-old daughter.

He has shown in the past that he will stop at nothing to free his fellows from prison. In 1992 he led a group of rebels who dug a 150-yard tunnel to free 200 "comrades" from one of Lima's most fortified jails.

His lover, Nancy Gilvono, 32, has been kept in isolation in the high security Yanomayo prison since she was captured in 1995 along with other rebels who planned to storm the Peruvian congress.

Gilvono was captured, along with the New Yorker, Lori Berenson, 27, who is also serving a life sentence in Yanomayo. They were both arrested in a Lima safe house where the Tupac Amaru Revolutionary Movement had stashed weapons, in preparation for an attack on the congress.

Berenson was paraded in front of the media, raising a "revolutionary" fist. But Gilvono was apparently so badly beaten by police, who tried to get her to disclose the whereabouts of her lover, that she was kept away from the cameras.

## Judge's exit throws trial of Berlusconi into chaos

FROM RICHARD OWEN IN ROME

A YEAR after it opened the trial on corruption charges of Silvio Berlusconi, the media tycoon and former right-of-centre Prime Minister, was thrown into chaos yesterday when the judge resigned over charges that he was "biased against the defendant".

Legal experts said that the trial, which has suffered many delays and complications, may have to start again from scratch.

Signor Berlusconi was accused with other executives in his Fininvest business empire of paying bribes to tax inspectors to secure favourable company audits between 1989 and 1991. He has always said that the charges were politically inspired and part of a plot against him by the Milan-based anti-corruption magistrates, the so-called "Clean Hands" team led by Antonio Di Pietro, whose 1992 anti-corruption drive brought down the Christian Democrats and transformed the face of Italian politics.

Last October Signor Berlusconi complained that a court microphone had picked up a remark by Carlo Crivelli, the presiding judge, which

showed he was out to secure a conviction. Judge Crivelli was overheard advising a prosecutor to use a "carrot and stick" method in his interrogation. An appeals court ruled that that was a "serious lapse" but said the remark had been outside formal court proceedings and was legally irrelevant. Nonetheless, Signor Crivelli said in a written statement yesterday that his "public prestige and impartiality" had been undermined.

In a separate ruling, also

favourable to the Berlusconi family, a prosecutor in Brescia dropped charges against Silvio Berlusconi's brother, Paolo, who with three others (including Cesare Previti, a former Defence Minister) had been accused of conspiring to force Signor Di Pietro to resign as a magistrate — which he did in 1994 for reasons that have never been fully explained.

Raimondo Giustozzi, the Brescia prosecutor, said there was no evidence to support the accusation against Paolo Berlusconi and asked the court to acquit them.

The two rulings leave Silvio Berlusconi apparently riding high. His Fininvest empire is financially buoyant and he has returned to political prominence by negotiating with the centre-left Government of Professor Romano Prodi on a cross-party commission to reform the constitution.

Di Pietro's "fixed" Giovanni Ruffini, one of the Mafia's leading bosses, told a Rome court yesterday, where he is accused of murdering the Giulio Andreotti, the former Prime Minister, had helped the Mafia to fix trials. (Reuters)

Berlusconi says charges are politically inspired.

## Leader of anti-Mobutu rebels killed in ambush by allies

FROM SAM KILEY, AFRICA CORRESPONDENT

ZAIRE'S rebel military chief was yesterday reported to have been killed in an ambush by Mai Mai warriors. His death is a blow to the uprising against President Mobutu.

Security sources in Kigali, the Rwandan capital, and in Nairobi, the Kenyan capital, said yesterday they believed that Commander Andre Ngandu Kissasse was killed in a battle between his Tutsi bodyguards and Mai Mai warriors. The Mai Mai were part of the rebel alliance formed to depose the ailing President Mobutu of Zaire.

The sources said Commander Ngandu, a veteran of Zaire's "liberation wars" since

1964, was killed on or about January 8 near the east Zairean town of Butembo, on the Ugandan border. He was the military chief of the Alliance of Democratic Forces for Liberation (Congo-Zaire) led by Laurent Kabila, the chairman of the alliance which joined forces with the Mai Mai last November.

Commander Ngandu, 51, came from Kasai in southern Zaire but led the rebel fighters dominated by Tutsis from South Kivu province. The Mai Mai, traditional enemies of the Tutsis, had fought their new-found allies for control of Butembo earlier this month. "Ngandu is believed to have

been sent to sort out the squabbling and was ambushed outside the town by the Mai Mai," a security source in Kigali said yesterday.

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# Balloonist lands in India to set six-day record

FROM CHRISTOPHER THOMAS IN VARANASI, INDIA, AND QUENTIN LETTS IN NEW YORK

STEVE FOSSETT floated down to the north Indian plains yesterday after abandoning his attempt to circumnavigate the world in a hot-air balloon. He landed awkwardly in a field, tearing the balloon on a tree, and was besieged by astonished villagers.

Word that his *Solo Spirit* balloon had returned safely to terra firma met with cheers at his mission control in Chicago, where the mood was described as "ecstatic". Despite failure, there was no suggestion of deflation.

He had been aloft for six days, two hours and 54 minutes, breaking his previous world record by 98 minutes. He covered 9,000 miles — another record, which he had previously set at 5,435 miles. He circled at 500ft to 1,000ft above the holy city of Varanasi for two or three hours to ensure his record before descending into the Hindu heartland.

Two hours later the police, bouncing down country roads, turned up in a Jeep. By then, helped by villagers, the silver-coloured balloon was almost packed. Mr Fossett discovered that the wind had carried him to Nonkhar, which appears on almost no map.

"It was a very good trip," he said at the police station 12 miles away in the village of Peepapur, 330 miles south-east of Delhi, whose duty constable proffered sweet tea and struggled with the language barrier. It was a "safe but rough landing". The wind was blowing at 15 mph as he came in and "it probably ruined the balloon".

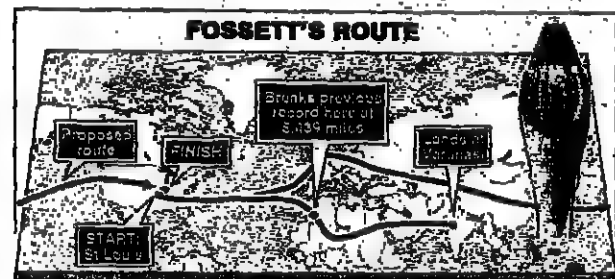
Unlike Libya, which initially denied him permission to overfly, costing him precious fuel, the Indian authorities gave an enthusiastic welcome.

Local people, necks craned skywards, rushed towards the descending balloon in whatever conveyance came to hand, from creaking Ambassador cars to slow-moving bullock carts. "The people have been very nice," Mr Fossett said. Air traffic control at Varanasi had cleared him to remain hovering over the region for as long as he wanted and the army was alerted to look out for him.

"I wish I could have made the biggest achievement and flown around the world but this is also successful," an exhausted Mr Fossett, 52, said. "It shows we are very close to being able to fly around the world." He had miscalculated the amount of fuel and sleep he would need.

"I didn't want to continue on over the Himalayas and didn't want to land in China because I did not have permission. He did not know if he would make a fresh attempt. I haven't had a chance to think. I have to reflect."

He said he would finish packing his balloon today and would probably travel to Delhi before returning to the United States in a day or two. "We did have a very good system. It would require only a few more changes — a bigger balloon, more fuel and a little bit more luck."



Mr Fossett with the air balloon in which he attempted to circumnavigate solo round the world. "It was a good trip," he said on landing in an Indian village

## Branson says race back on

By DANIEL MCGRORY

BACK at the drawing board, Don Cameron was last night doodling with ideas on how to improve his creation of the silver ice cream cone that had lured Steve Fossett more than 10,000 miles.

*Solo Spirit* cost £200,000, against the £3 million Richard Branson spent on his balloon. At his Bristol factory, the guru of balloon design said he believed the message for future competitors is: Keep it simple, and keep it small.

"The first rule of ballooning is that small is beautiful. *Solo Spirit* and Fossett have advanced the art a long, long way," Mr Cameron said.

Mr Branson said yesterday he was confident that his more sophisticated, high-altitude balloon will succeed next time. "Now that Steve has landed safely, the race is on again," Mr Branson said.

Don Cameron also built the ill-fated £2 million Swiss venture, *Breiting Orbiter*, which sprang a leak to a paraffin tank shortly after take-off.

"After what Steve Fossett managed, if he wants to have another go I would say he would be favourite to make it all the way round the world next time," Mr Cameron said. The key to success, he believes, is improving insulation to make the balloon more fuel efficient.

The 120 staff at his factory were yesterday awaiting new orders from those wishing to take up the challenge.

## NEWS IN BRIEF

### 36 die in Chinese snowfalls

Peking: The most violent snowstorms to hit China in three decades have killed at least 36 people, seriously hurt 18 and cut off 320,000 in the northwest of the country, the official media said yesterday. Snow is up to seven feet deep and wolves and the cold have killed more than 1,500 rare animals in Altay, Xinjiang. Temperatures have fallen as low as -30C (-23F). (AFP)

### Hijacker held

Tokyo: A Japanese armed with a kitchen knife and reportedly drunk was arrested in Fukuoka after hijacking a domestic airliner carrying 192 people from Osaka. No injuries were reported. (AP)

### Shift on Tibet

Taipei: The Dalai Lama said his planned visit to Taiwan was proof that he no longer sought Tibetan independence, as Peking claims, because Taiwan also recognises Tibet as part of China. (Reuters)

### Teachers strike

Athens: Greek secondary school teachers joined striking seamen in stoppages and a general strike was planned for Thursday against the Government's tough incomes and tax policies. (Reuters)

### Whaling boost

Moscow: Russia may resume commercial whaling due to a jump in the whale population in the Barents, Bering, Black, and White seas and a related drop in fish stocks, the State Fishing Committee said. (AP)

### 'Sorcerers' die

Accra: Mobs in Ghana have beaten to death at least 12 people on suspicion of being sorcerers and allegedly making penises shrink or vanish. Police prevented at least seven lynching attempts. (Reuters)

### Student bones up

Athens: A Greek medical student's parents have appealed against a jail sentence for stealing bones from a cemetery in an attempt to help their son's anatomy studies. A judicial official said. (AP)

## 'National overhaul' for Japan

Tokyo: Ryutaro Hashimoto, the Japanese Prime Minister, promised yesterday an overhaul of the economic and social system and called on the people to be prepared for sacrifices in the changes ahead. (Robert Whyman writes) "I ask each individual Japanese to keep an unbending spirit and stand firm in the face of difficult times and possible failure."

Saying that Japan would lag behind the rest of the world if it did not make drastic changes, Mr Hashimoto outlined a plan at the opening of the Diet to reform the bureaucracy, economic structures, the financial system, social welfare and education.

The Prime Minister's pledges to reduce the size of the bureaucracy and cut spending on building projects were designed to address an outcry over waste and corruption in government spending after a series of financial scandals.

## Patten attacks Chinese bid to revive repressive laws

FROM JONATHAN MIRSKY IN HONG KONG

HONG KONG suffered another setback yesterday as China threatened to curtail citizens' rights after it takes over the colony on July 1.

Chris Patten, the Governor, said last night that the changes proposed by a Peking-appointed group of Hong Kong legal advisers "strike at the heart of Hong Kong's civil liberties".

Meeting in Peking, the legal sub-group of the 150-member Preparatory Committee, established by China last month, to set up Hong Kong's political structure for the July handover, proposed to resurrect colonial laws forbidding political groups linked to foreign groups. It also gave the police powers to regulate demonstrations.

These controls, stipulating that demonstrators must seek police permission to hold meetings, marches or to use loud-hallers, and that political

parties could not have overseas links — which made the Chinese Communist Party illegal — were overturned in 1992 and 1995.

The group said these laws, and others whose repeal it urged, were inconsistent with the Basic Law, China's mini-constitution for Hong Kong. A Peking spokesman in Hong Kong said the Bill of Rights was part of Mr Patten's plan to violate past British agreements and that the provisions of the Basic Law would adequately protect Hong Kong's liberties.

Mr Patten insisted that the Bill of Rights is "entirely consistent" with treaty agreements and the Basic Law. He said the Bill is "fundamental to the success of the 'one country, two systems' concept". The Governor wondered if "anyone is seriously worried that the unlicensed use of loud-hallers in demon-

## U-turn as Kim offers talks on labour law with opposition

FROM REUTER IN SEOUL

IN A dramatic climbdown, President Kim Young Sam of South Korea yesterday agreed to meet opposition leaders to resolve a confrontation over a new labour law that ignited more than three weeks of strikes.

Adding to signs that authorities were seeking a peaceful end to violent confrontation with unions, prosecutors said they would hold off arresting seven strike leaders sheltering in Seoul's Myongdong cathedral.

Mr Kim has rejected demands by opposition parties to discuss the new Bill, which makes it easier to dismiss workers and maintains a ban on free trade union association until 2000.

His about-face followed a decision by the militant Korean Confederation of Trade Unions to call off an indefinite strike, a move that put South

Korean factories back to work with no interruptions for the first time since the law was rammed through parliament on December 26.

Last night Bill Jordan, head of the Brussels-based International Confederation of Free Trade Unions, flew into Seoul and issued a warning that the country's industrial crisis undermined its image and that its reputation was at stake over the new labour law.

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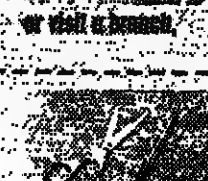


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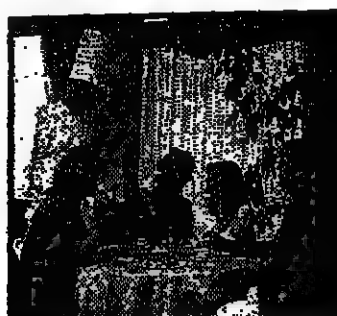
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# Trendy for fifteen minutes



Before you rush out to buy a nose-ring, remember that today's trends can come and go in a weekend, says Grace Bradberry

Alexander McQueen presented his first haute couture collection for Givenchy on Sunday. Once such a show would have told us something about the long-term future of fashion. It might have developed a few of last year's themes, added a few new ones, and confirmed our idea of what constituted style.

What debate will McQueen's show inspire? The future of the trouser suit? The shape of jackets in six months' time? Or the importance of wearing a two-inch gold nose-ring?

To the chagrin of serious fashion watchers it is the last and most ephemeral of this list that will cause the most talk. The gold ring is that most sought-after thing, a new trend, and even as you read this, professional "trendspotters" will be identifying it as such. But before you head for the local jewellery store, bear in mind one thing: it could be only days before those same trendspotters are proclaiming the nose-ring dead.

In some cases, the cycle is still more extreme: even before *Evita* hit British cinemas, *Evita* style — Ferragamo kitten-heel shoes, Dolce & Gabbana fake-fur coats and scarlet lipsticks — was being denounced as passé by some American commentators. A trend had gone even before it had arrived.

Not surprisingly then, the fizz has gone out of the new year for style gurus. January has lost its significance because by February the predictions have been steamrollered by a new trend. Whatever SW3 may be up to at the moment, by the 31st they will have disposed of it in their USA bins (mat plastic bullet-shaped lid, metal flap — a mere £199). By March, the bin will be out on the pavement too, jettisoned before its style sell-by date on the suspicion that they have infiltrated CR3 (Croydon).

However much people deride the Eighties, we are more obsessed than ever with trends. This is, after all, the decade that spawned *The Modern Review*, a magazine based on one trendy idea — that junk culture demanded as much critical attention as James Joyce. We have trendy books — *Miss Smilla's*

*Feeling For Snow* in 1993, *Cyber Punk* novels in 1994, and *The Celestine Prophecy* in the year just gone. And trends in food move faster than anything else: if you eat sun-dried tomatoes in 1997, you will suffer social death: eat couscous and you will pass muster — during January at least — though pigs' trotters and sweetbreads are on their way out.

Over seared tuna with Moroccan garnish in a west London pub-restaurant (outside dining rooms are now *démodé*), even the most intellectual diners are hunting the trend. Is farce back? Is the biography dead? Will *Crash* induce a necrophilia craze? Everyone is watching for the next cultural buzz, barely catching breath to indulge in the current one.

If in 1996 you didn't ride a scooter, eat pumpkin risotto, drink vodka and cranberry juice, give up the gym and wear clothes from *Voyage* it is now too late, you must have blinked behind your wrap-around sunglasses and missed it.

No cause for lament you might think — except that we really do care. Age and class are no longer a barrier to being trendy. Even 40-year-olds wear Nike Total Max running shoes. They may do so with a post-consumer ironic gleam in their eyes, but they've still shelled out £110, a sum that would have shamed even the least self-conscious Eighties yuppie.

But now that we're all trendspotters, style "leaders" are left with a problem. If everybody is doing it, it can't possibly be trendy. There are so many "style bibles" that the minute six people sitting in *Daphne's* have come up with their plans for the weekend, they have been broadcast to half the nation as a template. The definition of a trend used to be "everybody's doing it". Now, it's "I and six of my closest chums did this last week."

Peter York, author of *The Sloane Ranger's Handbook*, reflects: "Trends are smaller and shorter-lived than they used to be. We're so aware of other people. Nobody wants to be a dumb dog sitting in one category and being labelled. People want to switch around."



End of the trend: even before *Evita* was released in Britain the style was pronounced dead in America, so how long will the Givenchy/McQueen nose-ring survive?



It wasn't ever thus. In the Eighties it really was possible for a trend to acquire roots, blossom in the media and survive for a while, as Robert Elms, then a style-commentator on *The Face*, nostalgically recalls: "People were much more categorisable than they are now. Sloane Rangers, Yuppies, Punks — people did fit much more neatly into boxes. In 1981, when you talked about the trend being towards *this* — as opposed to *that* — you could be right for a fair number of people. Our culture has become so much more mix and match."

Swaths of the population are now sophisticated enough to recognise the con — but we continue to indulge because the desire to be "where it's at" is too strong. But we're not exactly involved anymore.

Not that we're bashful of spending money. Far from it. As Elms points out: "The things that are considered desirable, the brand names or whatever, are not as 'in your face' as they were in the Eighties. Prada is extraordinarily subtle. What's happening is kind of perverse: the more subtle something is, the more money people will spend on it."

Nevertheless, people still like to be sure they're shelling out for the right thing. Even Miuccia Prada can have an off-day. And so, in the mid-Nineties another trend has emerged — that of the "must-have". Prada's grey V-necked sweater is one example. Gucci's bootcut trousers are another. Offered the chance to express their individuality, consumers are editing the designer collections down to a few items.

"It really seems to have happened very suddenly," reflects Joseph Ettedgui, the designer behind London's Joseph shops. "A lot of people are obsessed with a few things. A company like Gucci can represent its image with one or two pieces. The suppliers have decided to edit their stores, and people are editing their wardrobes."

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CHANGING TIMES

## How I broke my shopping habit

Last Saturday I found myself in the middle of one of London's most exclusive stores covetously running my hands across the merchandise and experiencing, as I reached into my wallet, the return of the "feel-good" factor. I was not alone. The expressions on the faces of the women around me indicated that the years in which the recession had created what seemed to be a permanent rift between sex and shopping were over. The conspicuous consumption of the Eighties became so unfashionable in the early Nineties that a serious shopping habit was more socially unacceptable for women than alcoholism, drug addiction or even nymphomania. But not any more. Suddenly shopping is sexy again.

In fact had I closed my eyes in Harvey Nichols on Saturday, I could have been back in the first week of 1987 not 1997. The signs of a boom now are not dissimilar to the signs that, in the mid-Eighties, precipitated a rush of blood to our credit cards, and pushed so many of us into debt. The Halifax has predicted a 16 per cent rise in house prices over the next two years. A Lloyds Bank survey of British businesses revealed an upturn in growth and profit and an increased financial confidence. And the surging power of the pound has made consumers braver, stronger, and less guilty about indulging their desire to shop.

What is more, the incentives being offered by chain stores, banks and credit-card companies to buy now and pay later are terribly familiar to those of us who shopped through the spend, spend, spend era of the Eighties.

Every other advertisement on television is urging me to buy a leather three-piece suite with "nothing to pay until Easter", or luring me into booking a holiday in paradise. And every day I receive yet another tempting offer through the post offering me unsolicited, unlimited, uncured loans and credit. But here, at least, past experience has taught me something. So that while I did, indeed, give into temptation last Saturday, returning home with a clutch of carrier bags filled with Egyptian cotton sheets — I am

Serious shopping is sexy again, but Jane Gordon has learnt her lesson

the twelfth Marcos of bed linen — I paid with cash. My journey from credit-card shopper to a woman who holds on to and carefully counts out her cash is a shaming one. Looking back on my shopping history causes me more embarrassment now than it did then.

I have, rather like former Tory Chancellor, conducted my spending on the boom-bust approach with little thought about long-term security. So by the time I was in my early twenties, I was, as my husband said, "earning in Centigrade and spending in Fahrenheit."

My first moment of total financial embarrassment occurred, long before the boom, when I was politely but firmly shown the door in Asprey's by a frock-coated assistant after paying for a present with a cheque that my bank manager, when they rang him, was not prepared to meet.

There were innumerable instances of public humiliation at high street cash dispensers; I became used to

smiling at the person behind me and muttering, as I walked away empty-handed, something about my "worn-out swipe". The hall table was permanently littered with bank statements I was too frightened to open and even when I did, I could always find someone to blame.

In a way, then, the recession couldn't come too soon. In watching the fate of friends who lost their businesses, their homes or got caught in negative equity I learnt more than I had through my own, thankfully short-lived, moments of insolvency. In many

ways, too, I was more than ready to, as it were, shut up shop. Because while I was not directly affected, the recession made me realise how decadent and destructive the Eighties had been.

Even before last Saturday, though, there have been relapses. But nowadays I maintain control by limiting myself to a building society savings book that runs out of money at the same moment as I do.

And if the boom does take off, I will probably turn into the Mrs Micawber of the millennium, shaking my head and intoning: "Annual income £20, annual expenditure £19.19.6, result, happiness. Annual income £20, annual expenditure £20 ought and 6, result misery."

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# Divorce unsexes you — never had I been so long without an encounter

## ASPECTS OF LOVE

In Part Two of a series in which women writers examine love in the Nineties, Marianne Wiggins describes passion in middle age and the allure of the mature

Ten seconds before I walked into the sex shop in Soho last spring I had no idea I was going to do it. I had never been in one before, never fantasised about the provocations or delights within, never thought about what was "in store" at all — until one evening late last spring, while passing by, I noticed something in a sex shop window, immediately thought, "Oh, fun!" and walked right in.

The object in the window, which had drawn me in, was a transparent bit of costume devised from lace and Velcro and involving a dog-collar, suspenders and a crucial overlapping unsewn seam.

Inside the store a choice of theatricality was on display — chambermaid's kit, bustiers, a range of leatherwear, things and a showcase of cosmetic rubber — but I walked out with the item in the window and a pair of black silk stockings. From the comb on the kerb I dialled my lover's mobile phone and left the message that I'd just bought a little something in a Soho sex shop and I'd be home in half an hour.

Several hours earlier, in another coitibus less than two blocks away, the Metropolitan bomb squad had discovered an armed device and successfully defused it. What had brought me to that part of London at that hour in the first place was a regularly scheduled meeting at the Photographers Gallery in Great Newport Street, on whose board of trustees I sit. All of Charing Cross Road around Leicester Square had been cordoned off with chertreuse tape when I arrived, and as I made my way towards the gallery I had to cross two police barriers. An unscheduled item on our agenda that evening was the additional costs of insuring the gallery against future bomb threats in the West End.

Not one of these details — the ease with which one can breeze into a sex shop in London a stone's throw from the National Gallery, the design advantages of Velcro and Lycra, the convenience of message-gathering mobile phones, nor the incidence of terrorism in modern cities — was specific to our current decade, to the 1990s, was me.

What fingered the events that evening as being of the Nineties only was my age in it. Never before this decade had I been as old as I am now. So, for me, Sex in the Nineties

means: sex at 50. Sex thirty-odd years after initiation. Sex after I won't say how many partners. Sex after high school, after Woodstock, after Nixon, after Reaganomics. Sex after babies. Sex after the abortion. Sex after divorce. Sex after cancer. Sex during menopause.

In sum: the sex life of a divorced, middle-aged woman, mother of a 30-year-old, living alone. The extra place setting at friends' dinner parties. The workmen's party. The maître d's bugbear. The person abundantly found in the personals: the "one in a million." Good grief. C'est moi.

Three years ago, while I was still recovering from disease compounded by divorce, I woke up one morning to the fact that two ex-husbands of mine were involved with women one to two decades younger than they are, and that I knew no single man — not one — who was my age.

**'Despair is a condition of the decade, but not of the erotic nor of adults-at-play, adults in love'**

and heterosexual. Divorce unsexes you — so does disease. But disease, unlike divorce, does something else in its stages of remission: it revitalises all your senses. Never in my adult life had I been so long without a sexual encounter, nor ever in my life had I felt so achingly alive, so thrillingly sensual.

I had not, as they say, "lost my looks" — certainly not to the extent of my former partners had — but I had to face the fact that life was dealing me yet again a twisted hand. Just when I was feeling sexier than ever, I was entering a sector of society's sex ratings consigned to single digit numbers.

I started accepting every invitation. Which is how, two and a half years ago, at a gala dinner given at the end of an industry festival in a northern city, I came to be sitting next to the boringest man in the

world, who banged, on through the soup, fish and main about a screenplay he was writing, regarding a meeting between Freud and a blatantly anal retentive teenage Hitler.

Two subjects send me right off my feed at dinner — internal organs and Hitler — and he managed to combine the two. Then, just before the pudding, all the gents were asked to move around the table two places to the left, and I found myself in the company of an intense presence not unlike the way saints describe the visitation.

At first I thought I was having yet another menopausal, heatwave. But the symptoms — accelerated pulse, light-headedness, an all-over-the-body heightened sensitivity — didn't disappear after the usual three minutes. You can bet your boots they didn't.

All the invited guests at dinner were supposed to move on to another festival venue after coffee, but I detoured to the loo before joining the others. When I came out, he alone was standing in the corridor. He claims, and I believe him, that what he did need had never done before. He had never borne down on a woman, lifted her off her feet, pinned her between himself and a wall and kissed her with every passionate ounce of his being. And even if he had — who cares?

To this day not a week goes by without one or the other of us commenting on the audacity, the schizoid Gothic machismo of that First Kiss between two such so-called firm believers in the rights of women.

It was a maximum seduction — Max bedroom. "I can't believe you did that," I still tell him. "Me neither," he admits. "But I knew I had to do something because I might not get the chance again."

There is that about sex in the middle ages, that aspect of the countdown, the imperative to achieve orbit now, to fall back to earth. But I don't want to put a spin of desperation on this tale, not because there isn't any, but because despair is a condition of the decade and of our species, but not of the erotic nor of adults-at-play, adults in love.

Play is what I value most above lovemaking now. Sex is the ultimate playtime — not sport. Sport is competition. Sex is not a sport. My lover is my best playmate in the world. His work keeps him away from home a lot — but because



Marianne Wiggins: "The symptoms — accelerated pulse, light-headedness — didn't disappear after the usual three minutes. You can bet your boots they didn't"

he is a foreign correspondent and I'm a novelist, we share a certain power to describe our worlds. We use description of the world at large, the world that often separates us, to fuel the erotic.

As he was leaving on assignment last year, for example, I slipped a seashell from my collection, a Cornish limpet, to be specific, into his coat pocket. When I knew he was in the taxi on his way to Heathrow I rang him on his mobile. "Without looking at it," I said, "reach into your pocket and tell me what I put in there."

"Oh, God," came the answer, "it's your nipple."

And once, last month, when he called late at night from a hotel room in New York that had its own private fax machine, I told him to stand in front of the outline of my open hand and faxed it to him from London as I described in detail to him on the phone as my hand appeared in front of him what I would like to be doing to him with that hand.

Phones and faxes speed communications, keep the play immediate. But what was sexy then is sexy now and will be sexy in the year 2000. And that's the power of the thing communicated. When you are stripped down by loving playful sex to a complete and mutual mental nakedness it doesn't matter whether it's 1492 or 1997, or whether you're wearing Velcro or Lycra or a toga and your lover are one and alone.

© Marianne Wiggins's most recent novel, *Eyeless Eden*, is published by Flamingo, price £5.99.

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# What we need from government

Business expects a strategy for stability, says David Sainsbury

For a businessman to engage in discussion of public policy requires a certain temerity at any time. When discussions are twisted out of shape in the heat of electoral exchanges, it takes foolhardiness. My motive for contributing to the Commission on Public Policy and British Business was a firm belief that the voice of businessmen needs to be heard when government is devising policies for industry, and that business and government need to understand their respective roles and limitations.

In my business career I have seen a massive change in orthodox thinking about the role of government. In the 1970s there were exaggerated expectations about what it could achieve economically. These expectations led to excessive intervention in the economy, to government taking on the role of producer in a number of sectors and to excessively busy or intrusive regulation. Excessive hopes of government were held by all British administrations in the 1970s, and were reflected internationally.

During the 1980s, the climate changed, with a wave of deregulation, liberalisation and privatisation, much of it highly beneficial.

This gave managers more freedom to manage and raised awareness of the importance for all of us of commercial enterprise and commercial success. The Government led the way. But unfortunately the many microeconomic improvements were accompanied by an unusual degree of macroeconomic instability. The boom-bust pattern of the years damaged investment and to some extent masked the benefits of liberalisation. It also enormously increased the social costs of the adjustments.

I am concerned that we emerged from that experience with expectations of government that are too low. We now know that it is companies, not governments, that create wealth but we must not lose sight of government's essential role in providing a climate in which the enterprise and skills of businessmen can flourish.

To begin with, there is a long list of underperforming companies which drag down the average productivity level. Equally important is the skill shortage in our labour force, which not only adds to firms' costs, but also encourages a concentration on products that do not require high skills, which locks many companies into a low-quality market niche. Underinvestment in research and product development in physical capital and even in training are also consequences of macroeconomic instability. This diagnosis, I believe, points to three areas where government should do more to get the framework right: competition policy, education and macro-economic policy.

Vigorous competition in domestic markets must be central to any attempt to raise British competitiveness. There is abundant international evidence that viable national

champions arise only from the testing ground of continuous competition. Currently our competition policy is complex, uncertain in effect and time-consuming. The government should adopt the European system of fines for companies engaged in restrictive practices or placing restraints on trade. The responsibilities of the Office of Fair Trading and the Monopolies and Mergers Commission should be re-aligned, making the former the principal agent of investigation and prosecution, and leaving the latter to concentrate on adjudication. The Secretary of State's role in competition policy should be made transparent, through the publication of a report with reasons for his or her decisions. Everyone pays lip-service to competition, but there is no denying the relative laxity of our law or the erratic and unpredictable way in which references to the Monopolies Commission are made.

Education is another area where everyone says the right sort of thing. Yet international comparisons remorselessly tell us that while the elite part of our workforce is competitive, the average level of training and qualifications is lagging. This can only exacerbate problems of unemployment, increasing inequality and poverty in a globalising economy. The problem has to be tackled at the root, with improved teaching, teaching methods and inspection at primary school. Research shows that children benefit disproportionately from education in the early years.

We should be ensuring access to good nursery education for all children, and that primary school class sizes are falling, not rising, certainly not rising above 30. This will require some extra money, which must be found. Radical measures are also needed to train 16 to 19-year-olds, and facilities for adult education and re-education must also be expanded. Not all of these need be or should be provided by the State or at public expense, but the government has a clear role in setting out a strategy and co-ordinating provision.

Finally, greater macroeconomic stability is a must. There is no magic formula, but confidence in stability would be enhanced by giving the Bank of England independent control over interest rates, eliminating manipulation for electoral convenience. That could be achieved by giving the Bank control of interest rates and a target set by the government. The target should imply continued very low inflation, but give the Bank responsibility for offsetting recessions or large swings in real activity.

This is a programme with which I believe many businessmen would agree. It is not based on any ideological preconceptions, but on a clear view of what industry needs, and of the proper roles of government and business.

The author is chairman and chief executive of Sainsbury's.

**Fashion note:** Supermodel Gordon is wearing a creased Tory pin-stripe, offset by scuffed suede shoes and a stained Garrick tie. Accessories include cigars, a pint of Nottingham ale, and a ticket to Ronnie Scott's.



## Unlocking our canals

Could lottery money or workfare save Britain's inland waterways?

There was a time, near the end of another century, when Britain was swashbucklingly confident. Noblemen became entrepreneurs, engineers became heroes, landscapes were transformed, industrial buildings rose in graceful red-brick harmony with the landscape, and a legion of ragged unemployed were swept up in the service of the new technology. They bored through mountains, climbed hills by steps of water, solved problems. Visionary builders harnessed with equal determination the newborn power of steam, the ancient waterproofing properties of trampled clay and the sweat of hungry men with shovels. In the years before 1800, Britain built her canals.

It was the first such network and it still works, 2,000 glimmering miles of it. It carries great weights in near-silence, controls thousands of tons of water with hand-wound iron worm-gear, dives under brick arches and flies over aqueducts, linking the backyards of cities with the open countryside and enhancing both. It was, and is, a miracle and a thing of pure functional beauty.

Two hundred years on, as we slide fretfully towards the millennium, Britain is at risk of letting that canal system fall to pieces. The British Waterways Board has had its government grant reduced in real terms by one-third over the past 12 years. Last week it signalled that there is a backlog of £100 million worth of badly needed repairs, that this winter alone repairs cost £20 million, and that the 1997-98 grant is £7 million short of the bare minimum for safety. The difficulty lies not only in maintaining navigation, but in guaranteeing the safety of householders near canal banks. For these are not natural waterways: we made them, and we must either keep them or make a conscious (and dreadful) decision to drain and abandon them. The canal system depends as it always has on brick and cement, clay puddle and earthworks and vigilance.

So the British Waterways Board wants more money. It can scratch up more, and intends to, by raising the user's licence price 30 per cent by 1999. That will not be enough (why should it be? Motorists are not billed for the full cost of roads, nor current parents for the full cost of schools. Some things must be shared). The plea for public funds is backed by the users' group, the Inland Waterways Association, which is not known for

slavish agreement with the board. And if you still doubt the gravity of the crisis, let me point out that both board and association are always understandably terrified of frightening off holiday boaters, who generate income and support, by ever suggesting that tracts of the system may have to be closed. These are bodies which dare not cry "Wolf" unless they actually find themselves eyeball to eyeball with one.

Nor is this a routine whine for public money by an inefficient public utility: the board is quite hawkishly efficient, and more entrepreneurial than many purists wish. So this appeal may be taken as a real warning. Even in an atmosphere where Chancellor and Shadow are competing as to who can sound stingiest, it deserves to be heard.

Election procrastination does not help. The sooner the Environment Department steps in the better. The reason is obvious to anybody who has ever handled bricks, water, ironwork or earth, and knows what they do to one another. In dealing with them, a stitch in time saves ninety-nine. If the embankment of the Grand Union Canal had been fully maintained, it would not now need expensive and urgent repairs to stop it flooding Bedfordshire. If the Aire and Calder Canal in west Yorkshire — one of the few still used by profitable coal and oil boats — had been kept in order as envisaged by its original builders, it would not now be threatened with closure. The longer you leave it, the worse it gets. For canals are like children and cannot be put on hold.

Yet to avoid expensive lawsuits, British Waterways is forced to concentrate its repair budget on the areas where canals intersect with motorway bridges or with housing. So what is at risk, immediate risk, is the navigable network in between: those 2,000 shining miles of practical, logical beauty left to us by the Age of Reason. For an era which lists 1960s tower-blocks, pays museum curators to preserve culturally significant tins of

Beaumont's talcum powder, and plans (apparently) to turn the old Burt's hospital into Kenneth Baker's dream theme-park of British history, with an animatronic Wellington, we are strangely lachrymose in our attitude to the history which is right under our noses.

Of course, canals do have friends. British Waterways reckons ten million, at least. Some walk or cycle by them, some watch wildlife along the towpaths, some sketch bridges and locks. For many, narrowboats mean holidays, educational trips and — not least — an environment fit to rehabilitate mentally handicapped, ill and disabled children. I am reliably told that four days winding lock-holes and working the beautifully balanced, artistically logical, timber lift-bridges on the South Oxford Canal makes more difference to some children's education and prospects than a year of psychotherapy.

Some people mend canals for love. Years ago I spent occasional weekends working with the Waterway Recovery Group on such forgotten navigations as the Stratford Canal (I would have you know that I mix a mean barrowload of cement). Much has been achieved by the crazed dedication of these wonderful people, who bought Smalley excavators with saved-up Green Shield stamps and still traverse the countryside in battered vans to sleep, aching, on village hall floors after long hours of hard labour. Their labour has reopened the derelict Stratford and Basingstoke Canals. Others have successfully campaigned for Millennium Lottery money, so that — for example — the Huddersfield Narrow Canal can now be restored from similar dereliction. But what use are such spectacular restoration projects if the main network, those canals not abandoned or derelict, is allowed to decay for want of ordinary care? If money cannot be squeezed from the Treasury, it is time to review the

strict ring-fencing of lottery money, notably the ban on its use for purposes normally supported by the public purse. To ring-fence education and health in this way was clearly wise, but canals now are part of the pleasure rather than the strict necessity of life. What sense can it possibly make for lottery boards to hurl money at controversial schemes such as the Angel of the North, or a controversial spider-legged, bubble at Greenwich, while avoidable ruin overtakes a precious and historic piece of infrastructure, an asset to tourism and to the nation's own sense of pride and tranquillity?

Try another radical suggestion. The estimates of the British Waterways Board are based on paying existing contractors to do the work. But much of the work — the mending of canals, is labour-intensive manual work. I know, I have personally borrowed concrete across plains, repointed bricks, while balancing on a plank halfway down a culvert, and mended a bucket-hoist full of unspeakable ooze from the bottom of a lock chamber. Why shouldn't some of this work be done in the name of workfare or youth training or whatever, by those who otherwise have nothing to get up for? Granted, they should be paid something rather than exploited; granted, the task of supervising them would be a skilled one. Even the most authentic heritage reconstructionists would balk at reproducing the signal-idiot huts and the spectacular death-rate of the roving, fighting 18th-century "navvies" who gave navvies their name.

But given the success of volunteers in bringing back derelict canals, it might be worth looking at. After all, kids on job-creation schemes always complain bitterly that what they are asked to do is pointless, fake work. Working on canals is hard, outdoor graft, leaving the worker one feeling tired, healthy and satisfied. If I were out of work, I would jump at it, especially if I then went to get a complimentary boat trip along my canal with my workmates, courtesy of a grateful Waterways Board.

There must be other answers, and you should not need to wear an anorak in order to lobby for them. We have a chance to go into the third millennium and take with us, in working order, a unique legacy that enhances landscape, leisure, understanding and the natural environment. Why leave it behind?

## Clarke could lose it

Drop the single currency, says Woodrow Wyatt

If the general election takes place on May 1 as expected, there are just over 14 weeks for the Tories to overcome the lead of about 17 per cent that the opinion polls give Labour. By May 1, perhaps the sun will have cheered us up after the terrible winter and the mood will be more favourable to the Tories. Yet people decided to elect Margaret Thatcher much more than 14 weeks before the 1979 election. There was a tide running her way which Mr Callaghan later conceded that he too had felt.

Yesterday *The Sun* published a MORI poll on how constituents say they will vote in the forthcoming by-election in prosperous Wirral South, which was held by the Tories in 1992, with 53.8 per cent of the vote against 34.6 per cent for Labour. The basic answer was depressing for the Tories: 52 per cent declared they would vote Labour, as against 36 per cent for the Conservatives and 12 per cent undecided. Notoriously, in recent years governments have done worse in by-elections than general elections, with weaker party allegiances, people like to give expression to their immediate discontents with an impulse kick of irritation. When the thoughts of Mr and Mrs Wirral South were probed more deeply, 27 per cent said they may change their minds before the by-election. If they did, the Tories might just hold the seat, since probably most of the 27 per cent are dissatisfied Tory voters from 1992.

On "What do you think would be best at handling Britain's economy?", John Major led with 38 per cent to 34 per cent for Tony Blair. On who best represents Britain in Europe, Mr Major was ahead by one point. On joining the single currency, 37 per cent were in favour and 63 per cent against.

Much credit is due to Kenneth Clarke for his successful development of the policies followed by his predecessor, Norman Lamont, taking us first out of the world recession after our escape from the exchange rate mechanism. Britain has never been more prosperous, and the contrast with our partners in Europe is striking. Their unemployment continues to rise while ours falls. They have added themselves with the social chapter and, crippling payments that employers are required to make towards social welfare. Consequently production costs are much lower. This, coupled with higher productivity per head, has made us the most flourishing exporter in Europe. We have been able to fix our own taxation and interest rates, both of which have been skillfully managed by Mr Clarke.

So far the British have shown little interest in Europe. We have had no desire to interfere in their affairs and are astonished at the extent to which the leading players in Europe wish to interfere in ours. The streams of laws and regulations from Brussels are alien to the way we have been accustomed to doing things for centuries.

This is the issue on which there is the biggest division between the Tories and Labour (plus their allies, the Liberal Democrats). But the division is blurred by Kenneth Clarke's stubborn adherence to the single currency. Strewed and clear on many subjects, his thinking is muddled on this. He does not want to join the exchange rate mechanism, which is an essential prerequisite to monetary union. He would not have been able to adjust our interest rates and taxation to British advantage, or achieve our splendid recovery, if we had been part of that grand scheme, yet he persists in talking as though it would be a good idea, in which he is at odds with the Prime Minister and most of the Cabinet. He knows this open disagreement damages his party's chances, so why does he persist in it? Tony Blair is pledged to join the social chapter. He wants more majority voting, in which Britain would usually be in the minority. He wants less use of the veto. He is not prepared to be isolated in Europe as Mrs Thatcher was. He may equivocate on the single currency now, but there is no doubt that he is far more willing than the Tories to be ruled by Brussels.

On Sunday, Malcolm Rifkind said the time has come to ask Helmut Kohl and the other European leaders some questions: "What would be the European Union they would like to see in ten or twenty years' time? In what way would that fall short of federalism, because this is a very crucial issue which affects the whole of Europe... but it has never really been debated publicly. We know what we wish."

Last week *The Independent* outlined details of plans for a single system of taxation and social security for the EU. These are backed by Germany and France and would apply to all countries in the single currency. The inevitable next step would be a federal united states of Europe. Westminster sovereignty would be gone. It was over the principle of the American colonists' right to tax themselves that the War of Independence was fought and lost by us. It would be a strange irony if Brussels' sovereignty came to be resented by the British as ours was by the 18th-century colonists.

## New Honors

BRITISH fashion's torrential success continues with reports that Alexander McQueen is to sign up Honor Fraser as the face of Givenchy. Miss Fraser, the sister of Lord Lovat, has been a favourite model of McQueen's from his days making bumster trousers in London, before his recent move to Paris. Now she is at the top of a short-list to follow her cousin Stella Tennant, who last year became the face of Chanel, in represent-

ing a classically French company. Miss Fraser, 22, is in Paris at the moment, where she appeared modelling McQueen's first couture collection for Givenchy on Sunday. She was watched by several members of her family.

The show, which drew heavily on Greek myths, with horns and feathers all over the place, induced the sort of swoons in fashion editors that makes Tory admiration of the Spice Girls look like

nonchalance. McQueen's, like Miss Fraser's, is definitely a stock worth buying.

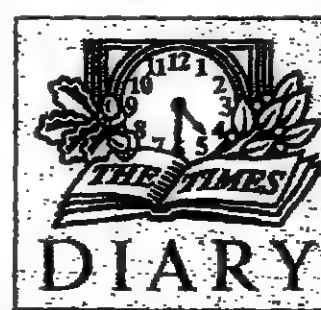
Honor's appointment could be the climax to a short career which has seen her plucked from the drafty corridors of Beaufort Castle, the former Fraser home in the Highlands, by her cousin, the star-making stylist Issy Blow.

Since then, she has taken her heathery glamour to the couture shows and the lucrative advertising game. Mrs Blow, the closest McQueen has to a muse, has been in discussions with Givenchy herself about formalising her role.

Glowing reports of the atmosphere in Washington at President Clinton's inauguration yesterday were given by a couple of Radio 5 Live reporters stationed in the cold on Capitol Hill. Despite freezing conditions, they talked of a friendly crowd reminiscent of the best of flag-wavers at royal ceremonies in Britain. When they turned their backs for a minute, their microphone was stolen.

### Taste trouble

THE Duchess of York is motoring onwards as America's favourite product-endorser. She started selling cranberry juice on American TV last night for a fee of half-a-mil-



lion dollars. She has also been in discussions with Volkswagen, which I'm told is keen to employ her as its saleswoman on national television in America.

A sticking point yet to be overcome is the slogan Volkswagen plans for its advertisements starring the duchess, which is something along the lines of "Not as expensive as it looks". We wouldn't want the duchess to look cheap.

### Rosé

ROMANIAN wine is to be boycotted by gay rights groups from tomorrow on account of the Romanian Government's tough line on homosexuality. It is the second biggest importer of Romanian wine, dark earthy stuff which will be sorely hit by the withdrawal of what adver-

tisers like to call "the pink pound". Romania currently has a Bill awaiting the signature of its President which makes gay sex illegal if it causes a "public scandal". A public scandal, according to the gays' interpretation of the law, is caused when two or more people find a particular homosexual relationship offensive. Back to the chiblis for Soho.

Raw garlic is the fuel for the Coliseum's rumbustious new production of Rossini's Italian Girl in Algiers. The bowl of spaghetti?

FOR anyone making the case that a Labour government would explode with dissent, Leeds North East could be useful evidence. Fabian Hamilton, the Blairite prospective Labour candidate, has been summarised to appear at Leeds Magistrates' Court on January 31 in a private prosecution. Labour officials say it is the work of Hamilton's left-wing opponents. Hamilton's weak spot is his business history, which includes two liquidated printing companies and seven county court judgments against him for unpaid bills for his debts, all of which are now settled. The latest prosecution concerns alleged fraud in his book-keeping and smells like revenge for the vicious dust-up over Liz Davies, the leftwinger who won her party's local nomination only to be dethroned by Labour's National Executive Committee.

### Yorkshire post

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P.H.S



Alexander McQueen may be about to sign Honor Fraser







## TAX AND SPEND

Labour has promised to be frugal with both

It has taken a long time, but at last Labour has made public its proposals for income tax and spending. The promises not to raise either the basic or the top rate for the lifetime of the next Parliament and the pledge to stick within the Tories' planned spending totals for two years bind a future Labour Chancellor more tightly than any of Gordon Brown's predecessors have been constrained. We have long argued that Labour should come clean about its intentions: Mr Brown has furnished his party's electoral image with boldness and vim.

The maintenance of the two income tax rates sounds all the more electorally attractive because it is these rates on which the Conservatives have based their claim to be a low-tax party. Whatever has happened to VAT, to excise duties, to company car rates or to allowances, the fact that the basic and top rates of income tax have been cut has been the Tories' totem. Mr Brown has shown that he can play that game too. Yesterday's promises do not preclude his cutting allowances or tax relief, or indeed levying higher tax elsewhere; but if the argument has been reduced by the Conservatives to income tax rates, he can win votes by pledging to leave them be.

This is sensible economic policy too. As far as possible, governments should aim to cut marginal rates of income tax, even if that means reducing allowances or tax reliefs. Tax rates affect incentives to work; reliefs can distort the system. Few now believe, for instance, that the goal of encouraging yet more home ownership is worth the £3 billion a year that mortgage tax relief costs the Treasury.

But if Mr Brown's promises on income tax can be believed, what about his pledges on public spending? He has undertaken to live within Kenneth Clarke's spending plans for the first two years of a Labour government. This has the virtue of making his tax

promise more credible: if he does not plan to increase spending, he will not need to raise taxes. Yet even a Conservative Cabinet would have difficulty remaining within the departmental totals set out in the Budget. Labour would surely fare worse.

From nurses to teachers, council leaders to dustmen, there would be millions of people thinking that Christmas had come in May if Labour won the election. For 18 years, they have been consoling themselves that all will come right when their party is in power. Tony Blair and Mr Brown have been doing their best to disillusion these client groups. But hopes are not easily dashed in advance.

If Labour won, Messrs Blair and Brown could only hold the line against these pressures by being particularly robust in the first two years. If they did not set a tough precedent, they would be overwhelmed by demands and public spending would spiral out of control. Both men seem determined not to let their plans be derailed in this way: they have studied the mistakes of past Labour administrations and do not intend to repeat them. But that is not to underestimate the difficulty of the task.

When public sector disputes break out under Labour governments, the Cabinet is more likely to divide. Some of its members instinctively side with the claimants. If Labour got in, and Mr Brown delivered on his promises, he would become the most unpopular Labour Chancellor since Stafford Cripps.

Whatever one thinks, however, about the chances of Mr Brown being able to stick to Mr Clarke's regime, it is encouraging that he intends to try. Whichever party wins power will have to keep fiscal policy tight in the interests of the economy. Whether Labour's resolve would hold can only be tested in government. But success would be even less likely if Mr Brown had not said what he said yesterday.

## PROMISED LAND

Clinton spoke eloquently of his second term

Four years is evidently an eternity in politics. When he took the oath of office for the first time Bill Clinton offered an energetic vision of the Federal government's role in American society. In his second address Mr Clinton put forward a rather different formula, one that relied more on the power of the American people than their institutions in Washington. Although he professed that the great debate on the role of government was largely over, the settlement he outlined was on different terms from that which he once articulated. The quest for consensus rather than dramatic innovation or change represented the predominant theme this time.

It was a rather better speech than that of four years ago. Then his words echoed campaign themes too closely. He reiterated the chant of change 11 times in barely 15 minutes. In so doing he failed to reach out beyond the 43 per cent of Americans who had supported him in the 1992 election. On this occasion he spoke in more presidential terms. His focus on the information age and aspirations for a land of new promise will have commanded wider backing. The emphasis on hope and progress fits well with the American spirit. His faith in technological advance as the engine for American influence in the next century is one that many of his partisan opponents, notably Speaker Newt Gingrich, would strongly endorse.

The President was at his most effective when dealing with the contentious issue of race. Even at the lowest moments of his first term, he was never more passionate and eloquent than when appealing for greater harmony and understanding across this most persistent and painful of American divisions. Speaking as he did on the

birthday of Martin Luther King Jr, he again displayed an ability to talk directly to black citizens in a manner that few other white politicians can match. This is not an area where presidents can ever hope to succeed by legislation alone but where example and language carry some value. His rhetoric will have made a powerful impression.

Mr Clinton closed his remarks with an appeal for co-operation between President and Congress. Whether such a relationship can be found and what policy consequences flow from it will be the true test of his second term. He offered very few specifics in that regard, although this was, in truth, hardly the appropriate forum. His real opportunity will come shortly with the publication of his budget proposals and the State of the Union address. He used his platform yesterday to call for a smaller and more efficient government. He called for a balanced budget but not one that would unbalance national values. The Republican leadership in Congress can be forgiven for uncertainty about what all this will mean.

That political struggle lies in the future. Mr Clinton may find that the debate over the role of government, far from having ended, lives on with some vigour. That in itself would not condemn the next four years to stalemate and failure. The outlines of an accommodation between the President and Congress exist if both sides choose to follow them. Republicans have discovered over the past two years that there are sharp limits on how far they can advance their preferences unless they are willing to compromise with the White House. Mr Clinton knows his reputation in history is dependent on delivering such a bargain. On that basis his second term, like his second inaugural address, could prove more productive than his first.

## WE INTERRUPT THIS CALL...

Advertisement breaks could soon pay the 'phone bill

Hello, Mrs Parent? May I speak to Louise, please? It's about these moles in our chemistry homework. I simply can't dig the little brutes. I promise this won't take even a nanosec... Oh, hi there, Weasel. Did you watch *Blindfold Romance*? Why did she choose that officer with the snooty voice? But that boy from Birmingham. Wasn't he WICKED? Gorgeous. Giggles, giggle.

You'll wonder where the dandruff goes when you wash your hair with *Fragrant Rose*. I didn't know you had dandruff. I don't. And that's because the lady shampoos with the only preparation that is both medicated and a conditioner: the authentic *Fragrant Rose* of the stars. Girls! Are you worried because you have thinning hair? Relax — nobody has fat hair. But *Fragrant Rose* will make your hair run down your back. Pity it's not still on your head.

Hello, Darling! Is it all clear to speak now? Oh, it seems ages since I saw you. I miss you too, Miss Piggy. I thought we might slip out tonight to this wonderful little Welsh bistro I have discovered. Right off the beaten track. Miners' lanterns and lather bread all round. It's very romantic. But you need to be like hungry also. They do this wonderful hedgehog en croûte with a touch of aniseed. SLAP. BANG. Ouch. Congratulations! You have been Bullimored. A Bullimore chocolate bar a day helps you work, rest and stay aloft. The actual brand name may vary according to the royalties offered. But

the Bullimore bar confers majesty on the refrigerator of a duchess. The milk in it is so fresh that only three hours ago, it was grass. The chocolate comes from imperial cocoa beans. And the wax that gives the carbohydrates is royal ruby. Food is an essential part of any balanced diet. But let there be no moaning of the bar, when a Bullimore puts out to sea. A Bullimore — the chocolate bar so good that it doesn't need a slogan!

Hello! Can I speak to the garage manager. Now look here, my good man. I am having terrible car trouble with your new machine. The engine won't start and the payments won't stop. Use the CAR spelt backwards rescue service. It thinks nothing of coming out in the middle of the week.

Ring, ring... ting, ting. [Silence. Heavy breathing.] Tickle the telephone you wrigglers. You may not give a Six X. But this is the first topless telephone ad. As the brassiere said to the top hat: You go on ahead while I give these two a lift.

Hello. Free Scandinavian Telephone? You ingenious Swedes may not have completely solved the problem of getting access to a telephone. The office manager still does not like personal calls being made from work. And the family still do not allow any time for calls from home. But the telephone bill has become easier to tear in half than a telephone directory. And the professional advertisements are often more diverting than the amateur conversation.

## LETTERS TO THE EDITOR

1 Pennington Street, London E1 9KN Telephone 0171-782 5000

### Thirty years on: accounts at odds on UK entry into EEC

From Professor Vernon Bogdanor

Sir, Sir Edward Heath (letter, January 18) is right and Max Beloff (January 15) is wrong. There was no reason at all for anyone to be misled as to the purpose of the European Communities in the 1960s.

I have recently been re-reading a short work entitled *The Future of British Foreign Policy*, published in 1969, by a renowned expert on the subject who declares that:

the European movement seemed an open-ended one. Its methods might be economic, but its ultimate purposes were political: to end the inhumane conflicts of the western European nations by merging their sovereignties in some larger unit. Instead of maintaining the maximum of national freedom of action compatible with the common economic institutions and policies — subject to a transitional period of adaptation — but also its political objectives.

The author goes on to add that it has been repeatedly stated in connection with Britain's second application for membership of the Common Market [in 1967] that Britain accepts not merely the existing economic institutions and policies — subject to a transitional period of adaptation — but also its political objectives.

The author did, it is true, go rather further than most supporters of European union since he believed that ultimately, the creation of a federal Europe was envisaged.

He did, however, insist that

in the long term, the logic of the argument that the European nation state is for many purposes obsolete is unanswerable. In the long run, therefore, Britain's aim must be to assume the position of leadership in Europe which she rejected almost a quarter-century ago, and to come out as an advocate of a European federal system as the ultimate objective of policy.

How, then, can anyone say that they were misled? The author of *The Future of British Foreign Policy* was Max Beloff.

Yours faithfully,  
VERNON BOGDANOR,  
Brasenose College, Oxford.  
January 18.

From Mr Simon Heffer

Sir, Sir Edward Heath shows in his attempted repudiation of Lord Beloff that he too is not above judicious selection of facts. His recollection of the events of 1961-63 is broadly accurate, but irrelevant, as they had no direct bearing on our negotiation before signing the Treaty of Brussels in 1972. It is once he deals with the events

after 1970, when he was Prime Minister, that selectiveness takes over. He omits to mention, for example, that his mandate at the June election of that year was merely to "negotiate", not to join. In that sense, the people were given no say about membership until the referendum that followed the sham Callaghan renegotiation of 1975.

Heath then claimed entry would only occur with the "full-hearted consent" of the British Parliament and people. That consent was never obtained from the people, and barely majority at the end of the White Paper debate on October 28, 1971, was hardly "full-hearted". Heath says it was a "free vote", but that is an ex-Chief Whip talking. It was made clear from the spring of 1971 that any Conservative MP opposing the leadership's wish to take Britain into the EEC would forfeit any career prospects he might have entertained.

At the second reading of the Bill in February 1972, the majority was a mere eight, gained as several survivors have testified) only after unprecedented threats from the whips, including pressure being put on constituency associations to bring their members into line. Despite such tactics, the Bill only went through with the help of Labour MPs, and after Heath, afraid the Government would be defeated, had threatened a general election.

Heath never spelled out the federal consequences at the time — unlike his chief negotiator, Lord Rippon, who quite openly, during the proceedings on the Bill, owned up to the nature of the project. But this is the central sophistry of Heath's argument. The British people have many qualities, but, as he must know, assiduous daily reading of *Hansard* is not among them. They did not hear Rippon's admissions, nor Enoch Powell's accurate warnings of the inevitable federal goals. Heath himself did not even tell his Foreign Secretary, Lord Home, about the key intention to enter a monetary union by 1980 until after the Bill was on the statute book. That is the true measure of his openness not just with the people, but with his colleagues.

Essentially, Heath's recollection of his own conduct is meaningless. Politics is about perception, and the British people perceive — correctly — that they were not properly informed about the consequences of joining the EEC by the Government that took

them in. Heath's (sympathetic) biographer, John Campbell, admits this on page 686 of his life, saying the country was "hoodwinked" by Heath — curiously, the opposite conclusion to which Dr Campbell came in his article (January 11).

In the public mind Heath's record on Europe is of a piece with his other governmental achievements — such as the legacy of 26 per cent inflation, the three-day week, the prices and incomes policy, the Industrial Relations Court, the nationalisation of Rolls-Royce and the Sunningdale agreement. It is a record about which anyone without Sir Edward's obvious and underappreciated gift for self-parody would sensibly choose to keep quiet.

Yours faithfully,

SIMON HEFFER,  
Gate Farm House,  
Great Leighs,  
Chelmsford, Essex.  
January 19.

From Lord Jenkins of Hillhead, OM

Sir, There is now a sedulously propagated view that the pro-Europeans deceived the British public by presenting the issue of our membership of the European Community in terms of jobs and economics and not of joining in a political union.

In the 1975 referendum campaign Edward Heath and I probably took the most active propaganda roles on the "yes" side. I was President of the Keep Britain in Europe campaign and he, as an ex-Prime Minister, was the most resonant Vice-President. When we met at the end we agreed that insofar as we had won the campaign (and the two-to-one result certainly suggested that this was so) it was overwhelmingly on the political arguments.

On the economic arguments we felt that we had at least held our own, but it was the political arguments, the questions of Britain's future orientation and of influence through Europe rather than a sterile sovereignty outside Europe which had really gripped and swayed audiences.

Such a conversation, of which I have the clearest recollection, is quite incompatible with the view that we presented Europe just as an affair of packages.

Yours faithfully,  
ROY JENKINS,  
House of Lords.  
January 20.

### Church leaders who take sides in political debate

From Mr David H. Warner

Sir, In your leading article on the participation of bishops in political debate ("Gas and gaiters", January 11), you state that the Archbishop of York, in his interview with Ruth Gledhill on the same day, "displays a more sophisticated approach to tackling what than many of his colleagues". You compare his comments with those of the Right Reverend Richard Holloway, Primate of the Scottish Episcopal Church, in what you call his "undergraduate" article in *The Church Times*.

You quote the Archbishop as saying "there is evidence from across the world that welfare destroys as much as it protects". However true that assertion may be, it very much needs to be set beside Bishop Holloway's: "The question... is whether we want to transform the reality of a world of injustice and inequality, or go on comforting ourselves for our own privileges by theoretical constructions that justify it."

Those who have read *The Church Times* article as well as Ruth Gledhill's account of Archbishop Hope's optimism may well feel that Bishop Holloway's thoughtful article is every whit as perceptive as the Archbishop's ideas, and actually points a way forward.

Yours sincerely,  
DAVID H. WARNER,  
41 Ox Lane,  
Harpenden, Hertfordshire.  
January 11.

From Professor Emeritus David Lowenthal

Sir, "Evidence from across the world that welfare destroys as much as it protects" implies, according to your

leader, that "individual moral choices matter more than collective political decisions in ensuring human dignity". This disarming gloss converts the Archbishop's dubious but untestable scepticism into historical absurdity.

Ending the slave trade and abolishing slavery, enacting adult suffrage, and providing universal and compulsory schooling, to mention but three advances toward British social dignity, were indeed all fuelled by partisan reformers. But moral zeal in each case reached fruition only by dint of collective political acts.

Yours sincerely,  
DAVID LOWENTHAL,  
56 Crown Street,  
Harrow on the Hill, Middlesex.  
January 11.

From the Venerable Dr H. Lockley

Sir, A positive feature arising from the present debate on the appropriateness or otherwise of episcopal intrusion into politics is the conclusion that politicians are beginning to take seriously the importance of moral and spiritual factors in the policies to be presented to the electorate. Recent general elections have not been particularly distinguished by this kind of emphasis. That the forthcoming one may prove to be an exception is something devoutly to be wished.

Yours sincerely,  
HAROLD LOCKLEY,  
21 Saxon Close,  
Market Harborough, Leicestershire.  
January 11.

From the Dean of St Paul's

Sir, Your leading article rightly endorses the substance and the style of Archbishop Hope's recent statement; but your provocative comment that

the Church of England is "an Erastian foundation" [that is a political or secular foundation] cannot be allowed to stand unchallenged. The reformation of the Church in England was most certainly bound up with questions concerning national sovereignty and jurisdiction; but it was the repeated boast of our Anglican forefathers in the 16th century that "We have planted no new religion but only renewed the old that was undoubtedly founded and used by the Apostles of Christ and other Holy Fathers of the primitive Church."

It has been one of the enduring features of church polity in Western and Eastern Europe over the centuries that the temporal and the spiritual cannot be easily disentangled from each other. Certainly it is no small part of the task of an established Church to witness to the fact that the secular and the sacred are interrelated and interdependent.

An awareness of this fundamental fact of life provides the common ground on which we must all stand. Politicians must attend to the increasingly urgent questions that are being raised about values and priorities and goals. Churchmen must take account in their public statements of the political realities with which we are all required to live.

The acknowledgement that the boundary between the temporal and the spiritual, the secular and the sacred has, as you put it, "always been porous and is becoming even more so", provides for many of us the indispensable basis for serious engagement.

Yours faithfully,  
JOHN MOSES,  
The Deanery, 9 Amen Court, EC4.  
January 13.

### Welsh point of view

From the Director of Programmes, HTV Wales

Sir, I'm intrigued to know where your correspondent, Brenda Maddox, has her "Welsh fastness", as she calls it in her curious column headed "Who will speak for the Principality?" (Media and Marketing, January 15).

Curious, since she ponders the question "Which is the principal broadcaster for Wales?" and comes up with the strange observation "A battle for the honour is raging between BBC Wales and S4C."

Does HTV — by far the most watched channel in Wales — not penetrate her fastness? She obviously watches "that unloved ITV company" Carlton's programmes when she's back home in London, but despite "Welsh husband and Welsh house" she is still not quite fully focused on Welsh TV.

Yours faithfully,  
MENNA RICHARDS,  
Director of Programmes, HTV Wales,  
The Television Centre,  
Culverhouse Cross, Cardiff.

### Catering for nut allergy

From Dr Richard J. Osborne

Sir, I have had a severe allergy to peanuts for at least 30 years, and have required hospital treatment for anaphylaxis (severe allergic reaction) on a number of occasions. My disability requires me to ensure that I do not inadvertently eat nuts, and I routinely check the list of ingredients in packaged food. Increased recognition of the importance of nut allergy has led many food manufacturers and retailers to improve identification of nuts and nut products on labels.

This helpful approach is now being taken to extremes. Many foods I have previously eaten safely are being labelled as "not suitable for nut-allergy sufferers", or have "nut oil" or "nut extract" added to the list of ingredients, without any discernible change in the product or its tolerability; notices have sprung up in supermarkets indicating that products baked in-store may be contaminated with nuts; breakfast cereal manufacturers state that any of their products may contain

nuts as a result of carry-over from other cereals prepared on the same production line. I am aware of several instances in which people have been frightened by all this into substantially altering their eating habits.

This blanket approach to labelling — presumably a defensive measure by food manufacturers — discriminates against nut-allergy sufferers in a way that would be unacceptable in any other form of illness. It is not permitted, for instance, to tell a physically disabled person they cannot enter a theatre in their wheelchair because of fire risks: alternative safety arrangements must be made. Nut-allergy sufferers deserve the same consideration, and investment for provision of a full range of safe, nut-free foods.

Yours faithfully,  
RICHARD OSBORNE,  
Quarleston Farm, Clenston Road,  
Winterborne, Sturminster, Dorset.

Letters should carry a daytime telephone number. They may be faxed to 0171-782-5046.

### Virus risks in pig tissue transplants

From Professor Ian McConnell

Sir, Pigs may be good to eat but they are not yet ready to wear. I refer to the use of transgenic animal tissue in human transplantation (reports, January 16, 17). This is more an issue of biological safety than it is of ethics.

It is well known that certain epidemics arise as a consequence of recombination between the human and animal viruses. Flu epidemics are a classic example. New viruses arise by recombination events. Some of the most successful viruses (eg, pox viruses) survive largely on account of the fact that they have expropriated human genes and incorporate them into their own structure to resist defence mechanisms.

It is correct to be concerned about the transfer of pig viruses along with transgenic organs. More worrying are the additional risks of human viruses recombining with pig viruses or pig virus genes hidden within the transplanted pig tissue. The transplanted organ is a reservoir of pig DNA waiting for recombination to happen, resulting in potential new viruses of unknown infectivity. The fact that recipients of transgenic organs are also under immunosuppressive therapy adds further complications.

The transgenic organs are not a universal panacea for solving the organ donor shortage: they are a small but important step in overcoming acute rejection crisis. There remain significant barriers of immunological rejection yet to be overcome.

It is my view, in the light of the current level of knowledge on animal/human virus recombination and need for more information on pig viruses, that to proceed with transgenic animal organ transplants in humans is of unknown hazard. In terms of risk assessment the small gain in delaying rejection of transplants is far outweighed by the considerable risk of creating recombinant viruses.

It is a risk which should not be taken until we have detailed knowledge of the potential for creating recombined viruses carrying new genetic material in animal to human transplantation.

Yours sincerely,  
IAN MCCONNELL,  
University of Cambridge,  
Centre for Veterinary Science,  
Department of Clinical  
Veterinary Medicine,  
Madingley Road, Cambridge.

### Tiger protection

From His Honour Judge Charles Harris, QC

Sir, The best way to protect the few remaining Indian tigers that Chinese stand unchallenged. The reformation of the Church in England was most certainly bound up with questions concerning national sovereignty and jurisdiction; but it was the repeated boast of our Anglican forefathers in the 16th century that "We have planted no new religion but only renewed the old that was undoubtedly founded and used by the Apostles of Christ and other Holy Fathers of the primitive Church."

Only this kind of approach, and not further "research", is likely to achieve anything worthwhile.

Yours faithfully,  
CHARLES HARRIS,  
The Manor,  
Westcott, Banon, Oxfordshire.  
January 16.

### Airport runway

From Mrs Katie Mallett

Sir, If the Manchester Airport Authority needs to build a second runway (report, January 16), why can't an arrangement be made to dismantle and relocate the 17th-century buildings in the way? Structures of this age have been successfully relocated elsewhere for the sake of posterity.

This proposal might not pacify the environmentalists, but it might console those who regret the passing of old houses.

Yours faithfully,  
KATIE MALLETT,  
15b Meynell Avenue,  
Canvey Island, Essex.  
January 16.

### Flying success

From Mr E. H. Ruston

Sir, Each year, a pair of swallows does its 12,000-mile round trip and returns to my garden shed to produce their young.

After several million pounds of expenditure and the sophistication of satellite communications, Richard Branson does 400 miles (report, January 10). Isn't nature wonderful?

Yours etc,  
HAROLD RUSTON,  
Splash Close,  
Thicket Road, Houghton,  
Huntingdon, Cambridgeshire.  
January 11.

### Water buffalo

From Mr J. G. Nelson

Sir, The things you learn from *The Times* from my days in the Royal Navy (circa 1934-45) I always understood that water buffalo (letters, January 17) were Royal Marines.

Yours faithfully,  
J. G. NELSON,  
2 Fiske Gardens, Holton Avenue,  
Oulton Broad, Suffolk.  
January 17.







failed to win this marginal seat, despite the scale of the Heath victory.

Florence Patricia Alice McLaughlin had been an Ulster Unionist supporter from her school days at Ashleigh House, Belfast, and held student political office when she went on to Trinity College Dublin. She became chairman of the Unionist Society, and later secretary/treasurer of the Mid-Dowen National Women's Association.

Apart from politics, she worked ceaselessly for voluntary and consumer associations, and was the first general secretary of the Foundation for Marriage Guidance. She was appointed CBE in 1975.

The daughter of Canon F. B. Aldwell, she was married in 1937 to Henry McLaughlin, a civil engineer and businessman. He predeceased her, as did one of her daughters. She is survived by the other daughter and a son.

heavyweights might well have declared their candidacy. Clinton would then have been faced with more of a challenge.

Tsongas had battled and apparently beaten cancer in the 1980s, and his uncertain health lent a refreshing intensity to his political style. Bravely, Tsongas had been the first Democrat to declare his candidacy in 1991, a year when President Bush's approval ratings were riding high. Clinton, however, had become the front-runner by the time the candidates congregated in the Granite State in January 1992, for the opening primary.

Traditionally, New Hampshire is the primary that all future Presidents must win. But in the 1992 primary Clinton's campaign was sunk by the Gennifer Flowers and draft-dodging scandals. It was a marvel that he managed to survive it at all, let alone come in second.

Call to Economic Arms. He wore ill-fitting suits and glasses, and coughed during his speeches. But his apparent amateurishness, and his chipmunk smile appealed to the voters.

So, too, against all predictions, did his medical record. The initial cancer in 1983 had interrupted his political career and Tsongas had given up a promising career in the Senate for a lucrative job in a Boston law firm, so that if he died his family would be provided for. By 1992 the cancer appeared to have been beaten. His strength of character and family loyalty impressed voters.

Clinton, however, although he came second to Tsongas in New Hampshire, concentrated his efforts in the South. After Tsongas had won Maryland, Utah and Washington, Clinton began broadcasting negative advertisements, portraying Tsongas as a watered-down Republican who would

Corps. Afterwards he studied at Yale Law School and then went into politics.

He started on the Lowell City Council, and in 1974 took on the Republican Congressman Paul Cronin in a solidly Republican district and won. In 1978 he defeated the Republican Senator Edward Brooke. In the Senate he helped push through a landmark Bill protecting environmentally sensitive land in Alaska.

After his withdrawal from the 1982 race, Tsongas set up the Concord Coalition which focused attention on the budget deficit. But in 1992 cancer recurred. He developed another type of lymphoma, then liver problems and finally pneumonia. However, warded off he looked from chemotherapy in his last years, he remained, in his televised appearances, an endearingly humorous speaker.

He is survived by his wife Nicola and three daughters.

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## GENERAL'S LAST PLAN

Last evening a large audience, which included all the personnel of the French Embassy, except the Ambassador, who was unavoidably prevented from attending, assembled at the Conference Hall of the Institut Français du Royaume Uni to hear a lecture by Lieutenant Colonel Fagalde, CDSO, Assistant Military Attaché at the French Embassy, entitled "From Charleroi to the Marne".

In this lecture the object of Colonel Fagalde was to give his audience an exact idea of the events which took place in 1914, from the time of the concentration of the French armies up to the battle of the Marne, in that field of operations which was comprised between the Sambre and the Marne.

Colonel Fagalde gave an account of the battle of Charleroi, which raged from August 21 to 23. He went on to describe the natural alarm created on the last day of August, when the Allies were informed by the staff of the Fifth Army, then stationed at Laon, that a mass of German cavalry had just received orders to deploy from the district north-west of Noyon on to the plains south of Laon, which movement had forced the Fifth Army to bend its line of march towards the south-east. The removal of French Headquarters to Craonne

## ON THIS DAY

### January 21, 1921



*The chance discovery, in the satchel of a dead officer, of a dramatic change of plan by the First World War German General Von Kluck, enabled the French to make a surprise attack on the German flank and led to victory at the Marne.*

and to Jönköping immediately followed. At the latter place, during the night of September 1 to 2, there was brought to the lecturer the satchel of a German staff officer of the Fifth Cavalry Division, who had been killed in his motor-car by a French patrol. In this satchel, destined to become historic, was found a treasure of inestimable value — a plan giving full details of the march, which started the following day, of the whole of the First German Army under Von Kluck.

The officer's satchel, which was of very large dimensions, contained in addition to food and articles of clothing, blood-stained

documents which showed that he had been to Von Kluck's headquarters for instructions and was on his way back to the 5th Cavalry Division when he was intercepted and killed. But tucked away under load and clothing was found a map on which were traced all the movements to be undertaken after September 1 by Von Kluck's Army. The position of every column was plainly marked, with their heads and rearguards, and the hours of departure and arrival at their destinations. But what was of supreme importance was the discovery that Von Kluck's plan, already known to the French staff, of marching into the valley of the Oise, had been changed into one of a direct march on Paris, to begin on the morning of September 2.

Colonel (then Captain) Fagalde, at once telephoned this information to GHQ, and immediately followed up his message by sending the map and other documents by motor-car to the same destination. The telephone message and the map have been carefully preserved, and there can be little doubt that to this discovery is mainly owing the success which attended General Gallieni's manoeuvre of throwing a hitherto unknown and unsuspected army on Von Kluck's flank, with the resultant victory of the Marne and the German retreat to the Aisne.



# A whole new ball game for former ice hockey ace

Rodney Hobson on a specialist sports shop attracting customers from afar

A former ice hockey international working as a backstage technician at the Royal Opera House has finally achieved his true goal in life: running a soccer shop in southeast London.

Geoffrey Williams' ice hockey career was cut short by injury, and the bad luck continued when he injured his arm while working at the Royal Opera House. After surgery he realised that he could not continue.

He says: "I had the idea of a shop in the back of my mind for several years. My son Sam, who is now aged nine, is an extremely talented football player who can hold his own with boys three years older than himself."

"I coached him from the age of five and he was far better than I imagined him to be. I took FA coaching badges so I could carry on coaching him. Then as I got further on I got called in by Sunday and youth teams coach."

Plumstead was not an obvious choice for a football shop but Mr Williams lives in the area and suitable premises came available at the right time. "It was perfect for my idea," he says.

The nearest good football shop was at least three or four miles away. I was not worried about being a bit on the outside because I wanted to try to attract customers to come to me rather than rely on passing trade."

Mr Williams considered widening the scope of the shop to other sports but decided to concentrate on football. He says: "I would rather have people travel some way to my shop because I am a

specialist. Customers come 30, 40 or even 50 miles. If I cut the room allocated to football in my shop to bring in other sports I wouldn't be a specialist. I would be a run-of-the-mill sports shop."

Mr Williams says replicas of strips worn by top teams are his bestselling line, although he admits they can be expensive, retailing at between £55 and £70. Mr Williams says fans in southeast London can get to his outlet more easily than visiting club shops. Although Charlton Athletic are the nearest Football League team, the club shop provides direct competition so sales of the Charlton strip are affected.

Mr Williams went through a bit of coaching himself before opening up. Through Solotec, the South East London Training and Enterprise Council, and Greenwich Enterprise Board he learnt about accountancy and sales promotion. Ron Sionely, at Greenwich Enterprise Board, advised him to reject an offer of a partnership that was initially attractive but not in Mr Williams' long-term interests.

Mr Williams opened his shop, Willy's World of Football, last May. His idea was to get established in time for this season. However, Euro 96 helped his business to a flying start.

The shop now provides employment for his wife, two full-time staff and one part-time.

He says: "Football has become our whole life. It has been a bit of a pain at times, but it has been good to us. If Sam makes it to the top, it will all have been worthwhile."



Williams coach

## Focus on digital cameras leads to award



A SOFTWARE company that switched into making digital cameras has won the Surrey Business Award for innovation (Rodney Hobson writes).

NBA Quality Systems had one big customer, British Rail. The work involved preparing BR's

inventory prior to privatisation and, when fees began to decline, Nigel Biggs (above), NBA's managing director, saw the business potential of digital cameras. Camera manufacturers all provide basic software to capture images electronically rather than on film but use

different programs. Mr Biggs developed a standard interface to link all digital cameras to personal computers.

At the end of last year Business Link Surrey helped him to prepare a business plan so that he could launch the Digital Camera Company.

## Firms face fines under new pension deadline

BY A CORRESPONDENT

THOUSANDS of small and medium-sized firms could face fines and legal sanctions for failing to comply with new pensions legislation in time. Johnstone Douglas, the employee benefit consultancy, says rules introduced by the new Pensions Act come into effect in April, but the Government has left a very short period for company schemes to meet stringent requirements imposed by the Occupational Pensions Regulatory Authority (Opra), the new watchdog.

Doug Johnstone, Johnstone Douglas managing director, says: "From our own experience, we believe that almost 90 per cent of small and medium-sized firms

have not yet taken advice on the implications of the new legislation and simply do not understand what needs to be done. There is a real danger they are going to fail to comply by default and Opra may then impose significant fines and other legal sanctions."

"This legislation really has teeth and we urge every company with a pension scheme to take steps to ensure they are on top of the situation."

Under the new legislation, the Opra watchdog can impose sanctions for a variety of infringements, including failure to make arrangements for pension fund members to nominate trustees.

## Simple guidelines for improving cashflow

BY RODNEY HOBSON

SMALL businesses can follow simple steps to improve cashflow, according to Paul Hancock, sales and marketing director at International Factors.

Mr Hancock's tips include:

- Plan purchases from your suppliers to coincide with payments from customers. This means you do not have to use your overdraft.
- Buy new equipment on finance leasing. This provides medium-term funding and allows new technology to be introduced within a structured and realistic payment plan.
- Try to place new orders so that the company is not overstretched. Growth should be in harmony with the finance available.

Finance assets over the life of the asset. For example, leasing for plant and machinery.

Keep your bank manager informed.

Consider credit insurance, which can be a vital safeguard against customers who cannot pay.

If you use factors or insurers, ask them to vet new buyers for creditworthiness.

Two new agents have been appointed by Line, the Local Investment Networking Company set up in 1987 as a non-profit business angels organisation to match private investors to companies seeking finance. The new agents, bringing the total to 12, are Cardiff & Vale Enterprise, serving South Wales, and the CBV Enterprise Centre, covering south London, Surrey and Sussex. Details: 0171-236 3000.

Gordon Brown, the Shadow Chancellor, will be the main speaker at a conference for family-run and owner-managed businesses at the Park Lane Hotel, central London, on January 31. The conference, called "How to Build Success for You and Your Business", is being organised by Clark Whitehall, the London accountancy firm. Cost: £199. Details: 0171-434 3711.

A mini-guide to insurance, tax, training and other issues has been produced by Home Business Alliance, the support group. It has been accepted for distribution by Britain's 1,100 jobcentres. For details of The Smart Guide to Working from Home, call 01254 658850.

The 1997 Export Award for Smaller Businesses, fewer than 200 employees, with sustained export growth during the past year will bring prize money and services worth more than £9,000 to five winners. Closing date: March 14. Entry forms from DTI regional offices, Business Links, or 01342 326972.

Some 22 small craft companies from Wales are exhibiting at Showcase Dublin, Ireland's premier gift trade fair, this week.



"I've come to float myself as everyone else seems to be doing it"

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INTERNATIONAL.



## Human rights campaign is political

**Regina v Radio Authority, Ex parte Bull and Another**  
Before Lord Woolf, Master of the Rolls, Lord Justice Aldous and Lord Justice Brooke.

Judgment December 17  
To promote the observance of fundamental human rights by campaigning to change the laws or policies of foreign governments was a political objective. Therefore, the Radio Authority was entitled to refuse to grant a licence to a body whose objects were mainly of a political nature and that it was prohibited from advertising on the radio by section 92(2)(a) of the Broadcasting Act 1990.

The Court of Appeal so held in a reserved judgment dismissing an appeal by David Bull and Nigel Wright for and on behalf of Amnesty International (British Section) against the decision of the Radio Authority to refuse to grant a licence to the Radio Authority Advertising Code.

Section 92(2)(a) provides that a licensed service must not include: (i) any advertisement which is inserted by or on behalf of any body whose objects are wholly or mainly of a political nature, (ii) any advertisement which is directed towards any political end.

The practice notes to rule 8(a) of the code drawn up by the authority pursuant to section 93 of the Act provide: "The term 'political' here is used in a wider sense than 'party politics'. The prohibition precludes, for example, issue

campaigning for the purposes of influencing legislation or executive action by local or national government."

Mr Nigel Fleming, QC, Mr Peter Duffy and Mr Sean Wilken for the applicants, Mr David Pannick, QC and Ms Dinah Rose for the authority.

THE MASTER OF THE ROLLS said that the effect of the authority's decision was to ban further advertising by Amnesty. The ban was imposed because the authority had decided that Amnesty was a body to which section 92(2)(a) of the 1990 Act applied.

The first issue was whether the authority had correctly interpreted the provisions of section 92. The second was whether the authority had properly applied section 92 to Amnesty.

Section 92(2)(a) contained a restriction on advertising by a body whose objects were wholly or mainly of a political nature. "Body" was defined by section 202 as "a body of persons whether incorporated or not, and includes a partnership". There was no statutory definition of "objects", "wholly or mainly" or "political".

The proper meaning of each of those words was important in determining the outcome of the appeal.

The definition of "body" helped in reaching a conclusion as to what the section was referring to as being "objects". Where a body had formally set out its objects his Lordship would expect the authority to decide, at any rate in the first instance, whether the body's objects fell within the subsection by doing no more than examine the statement of its objects.

Where, however, there was doubt as to whether the formal statement reflected the true position or it was not possible to

determine the position by merely looking at the objects, the authority was quite entitled to examine any other material which was available. In doing so the authority had to decide the purpose for which the body existed, recognising that a body might exist for more than one purpose.

Where there was more than one object and some were political and others were not, then it might be essential to go beyond the mere formal statement of the objects in order to decide whether the objects were mainly political.

"Wholly or mainly" was a phrase the meaning of which was not free from ambiguity. Clearly it required a proportion which was more than half. But how much more? Anything between 51 per cent and 99 per cent were candidates.

Here it had to be construed as a part of a provision which restricted the ability of Amnesty to promote itself on the media by advertising. That constituted a restriction on freedom of communication. Freedom of communication was protected alike at common law and by the European Convention on Human Rights 1953 (Comm 900).

The restriction was a general one in the sense that it applied to all advertising by the body concerned and was not limited to a particular advertisement which the body might wish to broadcast.

In view of that, the ambiguous words "wholly or mainly" should be construed restrictively, in a way which limited the application of the restriction to bodies whose objects were substantially or primarily political. Certainly a body to fall within the provision must be at least midway between the two percentages identified, that is, more than 75 per cent.

In *McGovern v Attorney-General* [1982] Ch 321, 340 Mr Justice Stale held that trusts for political purposes included trusts of which a direct and principal purpose was to procure changes in the law or policies of this country or a foreign country. That was the approach the authority submitted that it had applied in determining the status of Amnesty.

Section 92(2)(a) contained a reference to party political and "political" in section 92(2)(a) was not used in that sense. No better guidance was available as to what was meant by "political" and his Lordship would therefore accept the authority's submission.

Amnesty submitted that there was an important qualification to be made. An object would not be political if what was being promoted was the observance of human rights since those were regarded as being fundamental in international law and recognised by article 55 of the United Nations Charter. To promote their observance, even though it involved having to change the law or the policies of governments, was merely to promote the observance of the law.

The problem with that submission was that it made no allowance for the fact that, regrettably, the laws and policies of many countries did not match the standards set by the United Nations Charter. To campaign to change those laws and policies so that they did comply with the Charter was political even though it was also commendable.

His Lordship had come to the conclusion it would not be right to allow the appeal and quash the decision for the following reasons:

1 The authority was a regulatory body consisting of lay members

which was intended to take a broad brush approach to its task. Under section 92(1) it was required to do all that it could to secure that the rules specified in subsection (2) were complied with. That rather unusual statutory provision did not create an absolute obligation but instead placed an obligation to do its best.

2 The onus was on Amnesty to show that the authority had transgressed. If the authority had gone wrong, which was not clear, it was not because of want of trying to reach the right result.

3 From an examination of the different elements of section 92(2)(a) it was apparent that it was difficult to identify with precision the parameters of the paragraph. The language of the provision therefore allowed the authority a reasonable degree of tolerance in its application.

4 Because of its lay nature and the terms of section 92(1) the court should be prepared to allow the authority a margin of appreciation in its interpretation of its decision when there was a manifest breach of the principles applied on application for judicial review.

5 Amnesty was entitled to make a fresh application. The position was bound to be affected by the passage of time since the decision and it was preferable that the whole issue should be reconsidered in the light of the court's judgments on the up to date information as to Amnesty's objects.

Lord Justice Aldous gave a concurring judgment and Lord Justice Brooke agreed with the result.

Solicitors: Bindman & Partners; Allen & Overy.

## Technical defect caused no prejudice to party

**Nicholls v Nicholls**

Before Lord Woolf, Master of the Rolls, Lord Justice Aldous and Lord Justice Ward.

Judgment December 20

The interests of justice did not require a commitment order to be set aside on the ground of procedural irregularity where technical defects in it had not caused prejudice or injustice to the contemnor.

The Court of Appeal so stated when allowing in part an appeal by Sidney Nicholls from Judge King, who at Worcester County Court, had ordered his commitment to prison on the application of Angela Nicholls to commit him for breach of (i) an undertaking given by Mr Nicholls in the court and (ii) a condition of a suspended custodial sentence imposed on him at an earlier commitment application that he would not harass her.

Both the suspended and the subsequent commitment orders were defective, although on the facts Mr Nicholls had not suffered prejudice. The earlier order had wrongly included as proved an allegation of breach which had not been established and had failed to include a breach which had been proved. The later order had failed to particularise the breach of the commitment order and had been drawn on the prescribed form, county court form N79, from which the statement that the contemnor could apply to purge his contempt had wrongly been deleted, and had included wrongly a breach not relied on in the commitment application.

Mr Nicholas Cole for Mr Nicholls; Mr Robin Rowland for Mrs Nicholls; Mr Hugo Keith as amicus curiae.

THE MASTER OF THE ROLLS, giving the judgment of the court, referred to Order 39, rule 1 of the County Court Rules 1981, which dealt with the enforcement of a judgment to do or abstain from doing any act. He said that while its requirements were to be observed, in the absence of authority to the contrary, even though the liberty of the subject was involved, the court would not expect the requirements to be mandatory, in the sense that any non-compliance must result in the commitment being irretrievably invalid.

Today it was no longer appropriate to regard a commitment order as being no more than a form of execution available to another party against an alleged contemnor. The court itself had a substantial interest in seeing that its orders were upheld.

If commitment orders were to be set aside on purely technical grounds which had nothing to do with the justice of the case that had the effect of undermining the system of justice and the credibility of court orders.

While the procedural requirements were there to be obeyed and

Normally Order 15, rule 5 of the County Court Rules, which corresponded to Order 20, rule 11 of the Rules of the Supreme Court, enabled a court to correct any clerical mistakes in the judgments or orders or errors arising therein due to any accidental slip or omission.

His Lordship also referred to section 15(3) of the Supreme Court Act 1981 and section 13 of the Administration of Justice Act 1960.

He said that those provisions were drafted in generous terms and where a defect in the application for a commitment order or the commitment order itself caused no injustice one would expect that powers would enable the Court of Appeal to overcome a purely technical error which had not caused any prejudice.

His Lordship cited the earlier authorities to indicate that they showed no common pattern of approach although the later cases made clear that it was not recognised that Order 59, rule 10(3) of the Rules of the Supreme Court and section 13(3) of the 1960 Act gave a court power to rectify procedural defects both in the procedure leading up to the making of the commitment order and after it had been made.

Like any other discretion, the discretion provided by the statutory provisions had to be exercised in a way which in all the circumstances best reflected the requirements of justice.

In determining that, the court had not only to take into account the interests of the contemnor but also those of the other parties and of upholding the reputation of civil justice in general.

Today it was no longer appropriate to regard a commitment order as being no more than a form of execution available to another party against an alleged contemnor. The court itself had a substantial interest in seeing that its orders were upheld.

If commitment orders were to be set aside on purely technical grounds which had nothing to do with the justice of the case that had the effect of undermining the system of justice and the credibility of court orders.

While the procedural requirements were there to be obeyed and

to protect the contemnor, it was contrary to the interests of justice to set aside the order purely on the ground of technicality if there was non-compliance with the requirements which did not prejudice the contemnor.

Therefore in the future it should not be necessary to revisit the authorities prior to *M v P; Butler v Butler* [1993] Fam 167.

It should be recognised that Order 59, rule 10 and section 13(3) gave the court a discretion which it was required to exercise. To decide to do so because of a technical error was, in the absence of prejudice, to derogate from that discretion. Guidance which could be provided for the future was:

1 As commitment orders involved the liberty of the subject it was particularly important that the relevant rules were duly complied with. It remained the responsibility of the judge when signing the commitment order to ensure that it was properly drawn and adequately particularised the breaches which had been proved and for which sentence had been imposed.

2 As long as the contemnor had a fair trial and the order had been made on valid grounds the existence of a defect in the commitment application or the order served would not result in its being set aside except in so far as the interests of justice required that to be done.

3 Interests of justice would not require the order to be set aside where there was no prejudice caused as a result of errors in the application or in the order. Where necessary the order could be amended.

4 When considering whether to set aside the order, the court should have regard to the interests of any other party and the need to uphold the reputation of the justice system.

5 If there had been a procedural irregularity or some other defect in the conduct of the proceedings which had occasioned injustice, the court would consider exercising its power to order a new trial unless there were circumstances indicating that it would not be just to do so.

Solicitors: Middleton Dummer, Oldbury; March & Edwards, Worcester; Treasury Solicitor.

## Preferential payments to directors of company

**In re Corfe Joinery Ltd (in Liquidation)**

Before Mr Justice Lloyd

Judgment January 15

Where a company about to go into insolvent liquidation made payments to directors of the company which constituted preferences within section 239 of the Insolvency Act 1986, the date on which the company made the payments was the date by reference to which the court was to consider whether within section 239(3), in making those payments in preference to settling debts owed to other creditors the company was influenced by a desire to put the recipients of those payments in a better position than they would otherwise have been in if the company went into insolvent liquidation.

Mr Justice Lloyd so held in the Companies Court of the Chancery

Division when dismissing an appeal by two directors of Corfe Joinery Ltd, in voluntary liquidation, against an order of Deputy District Judge Rogers in Cambridge County Court on August 9, 1996 for the repayment of sums paid to the directors on the ground that they were voidable preferences.

Miss Claire Staddon for the directors; Mr Jason Evans-Towry for the liquidators.

MR JUSTICE LLOYD said that the directors challenged the district judge's finding that payments made to them in the last days before the company ceased trading were preferences in respect of which an order under section 239 could be made.

The amounts were for the repayment of directors' loans, which put them in a better position than if

they had remained unpaid when the company went into liquidation.

As unsecured creditors they would have received less than 100 per cent of the debt.

By section 239(3) an order could not be made unless the company was influenced in deciding to give the preference by a desire to produce in respect of the person preferred the prescribed preferential effect. Because directors were connected with the company within section 239(4) such a desire was presumed unless the contrary was shown.

It was argued for the directors that the date when it had to be shown whether or not the company was influenced by the desire to prefer those receiving payments was not the date when the relevant cheques were drawn but the date a year earlier when the directors

agreed not to call in their loans until January 1995.

His Lordship rejected that date, when all that happened was that at most the loans became repayable in January 1995. A lot of debts were repayable at that time but were not repaid.

There was an obligation to pay the directors' debts in January 1995, but it was necessary for the board to review at that time whether to honour that obligation. It was by reference to when the cheques were signed by the authorised signatories that the statutory provisions were to be applied.

The evidence established that when the company decided to pay back the directors' loans it must have been aware of the possibility of insolvency in the near future.

The burden of proof was on the

directors to rebut the statutory presumption and show why the company had honoured those obligations but not others at that time, but the evidence was silent as to that issue.

The conclusion that the payments were voidable preferences was correct.

Solicitors: Mills & Reeve, Cambridge; Palmer Wheeland, Cambridge.

## Scots Law Report January 21 1997 Outer House

## Copyright breach in internet headline

**Sheldan Times Ltd v Jonathan Wills and Another**

Before Lord Hamilton

Judgment October 24

The inclusion of the headlines of one newspaper in the internet website of another newspaper was, prima facie, infringement of the copyright belonging to the original newspaper.

Lord Hamilton, sitting in the Outer House of the Court of Session, so held, granting interim interdict in an action of declarator of infringement of copyright and interdict at the instance of Sheldan Times Ltd against Dr Jonathan Wills and another.

Miss Louise Milligan for the pursuers; Mr Roderick John MacLeod for the defenders.

LORD HAMILTON said that pursuers owned and published a newspaper which carried local, national and international news. The second defender provided a news reporting service, and the first defender was its managing director.

The pursuers had recently established an internet website by which means they made available on the internet terms which appeared in the printed editions of their newspaper.

They had expended resources in establishing that website. It was their expectation that once that information service became known to and used by internet users, they would be able to sell advertising space on the front page of their website.

The defenders also operated a website. The front page was headed "The Sheldan News". A number of advertisements appeared on that page, and beneath those were a number of news headlines, including a number of headlines appearing in recent issues of *The Sheldan Times* as reproduced on the pursuers' website. Those headlines were verbatim reproductions of the pursuers' headlines.

A caller gaining access to the defendants' website might, by clicking on one of those headlines appearing on the pursuers' front page, gain access to the text as published and reproduced by the pursuers.

Such access was gained without the caller requiring at any stage to gain access to the pursuers' front page. Thus access to the pursuers' terms could be obtained by bypassing the pursuers' front page and accordingly missing any advertising material which might appear on it.

The case had come before his Lordship on the pursuers' motion for interim interdict. The grounds of action were twofold.

The pursuers maintained that the headlines were available on their website were cable programmes within section 7 of the Copyright Design and Patents Act 1988, that the facility made available by them on their website was a cable programme service within the meaning of section 7 and that the inclusion of those items in that service constituted an infringement of section 20 of the Act.

The pursuers also maintained that the headlines were literary works owned by them and that the defenders' activities constituted infringement by copying under section 17 of the Act, the copying being in the form of storing the works by electronic means.

For the pursuers, it had been argued that on each ground, there was a prima facie case and that the

balance of convenience favoured interim interdict. For the defenders it had not been disputed that copyright subsisted in the text of items appearing in the printed edition of *The Sheldan Times* and in texts appearing therefrom on the pursuers' website. It had been maintained that no copyright subsisted in the headlines.

The principal argument before his Lordship related to the alleged infringement under section 20. That turned on the definition of "cable programme" in section 7.

Counsel for the defenders had submitted that the process of internet communication did not involve sending information; that if it did, the sending was in the circumstances done not by the pursuers but by the defenders; and that, in any event, the service was an interactive one exempted by section 7(2)(a). No detailed technical information had been put before his Lordship.

In his Lordship's view the pursuers' contention that the service provided by them involved the sending of information was, prima facie, well founded.

Although, in a sense, the information passively awaited access being had to it by callers, that did not, at least prima facie, preclude the notion that the information, on such access being taken, was conveyed to and received by the caller.

If that were so, the process might arguably be said to involve the sending of that information. The fact that the information was provided to the caller by his gaining access to it through the defenders' website did not result in the defenders being the persons sending the information.

As to the argument founded on section 7(2)(a), it had been contended that because it was possible for the caller to contact the pursuers by the internet and because comments and suggestions were encouraged, the cable service was

interactive and fell within the exception. It had also been submitted that information by way of comment and suggestion could be sent to the defenders' website.

In his Lordship's view, it was plainly arguable that the exception did not apply. While the facility to comment or make suggestions via the internet existed, that did not appear to be an essential element of the service. The primary function of which was to distribute news and other items. In any event, it was arguable that that facility was a severable part of the pursuers' cable programme service.

On the information available at the hearing, and on the arguments presented by the pursuers and in his Lordship's opinion, a prima facie case that the incorporation by the defenders in their website of headlines provided at the pursuers' website constituted an infringement of section 20 of the Act.

Law agents: Brodie, WS: Dundas & Wilson, CS.

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## Making multiple entries is the name of the game



IT WILL not have escaped the notice of regular followers of *The Times* Interactive Team Football competition that certain names occur considerably more frequently than others. John Hunt, the overall leader of ITF, has eight teams in the leading 250 selectors, whilst J. Brown has an extraordinary 17 teams in the list below, ranging from eighth equal to 94th equal.

Five names dominate above all. Hunt has eight teams on display below. Bob Calder has six. Mike Jones four and the Gohji brothers, who came so close to winning the competition last year, have seven between them. Indeed, out of the leading 30 selectors, those five names feature 18 times. Clearly the task of running teams simultaneously — and successfully — is not an impossible one.

Hunt has retained the lead that he recovered last week, and holds an 11-point advantage over his nearest rivals. This week's winner, however, is to be found loitering at 4.617th place. Mr D. Coleman, of Enfield, scored 43 points with his Club 97 team, relying principally on contributions from Steve Grayson, the Leicester City defender, who picked up eight points, and Dennis Bergkamp, the Arsenal forward, who gained six points.

To give some idea of how close the overall leaders are to the weekly winners, Hunt's score over the last seven days was 30 points.



Remember him? Roy, of Nottingham Forest, returned to action with two goals on Sunday after a long absence.



To improve your fortunes, you can use the ITF transfer system which allows you to

change up to two players each week and to adjust your team if one of your players is actually transferred out of the FA Carling Premiership or Bell's Scottish League premier division.

You can make transfers only by telephone. Using a Touch-tone (DTMF) telephone (most push-button telephones with a \* and a hash key are Touch-tone), call the 0891 866 968 line during the times given. From outside the United Kingdom, you must call 0044 990 200 668.

When making a transfer, you must ensure that the team does not contain more than two individuals (two players or one player and a manager) from the same club.

If you are lagging behind the leading team selectors, the transfer system will be an appealing option to you in the chase for the prizes — the overall £50,000, monthly £1,000 or weekly £250.

☐ All Interactive Team Football transfer queries should be directed to 0171-757 701. All other inquiries can be made on 01582 488 122.

## HOW THE SCORING SYSTEM WORKS IN ITF

All 1996-7 matches in the FA Carling Premiership, FA Cup, and Scottish League premier division and Tennents Scottish Cup from August 17 count for points. Penalty shootouts do not count but results do.

decided in this way will count as:

POINTS SCORED			
Goalkeeper		Striker	
Keeps clean sheet*	4pts	Scores goal	2pts
Scores goal	1pt	All players	1pt
Saves penalty	1pt	Appearance	0pts
Full back/Central defender	3pts	Scores last-trick	1pt
Keeps clean sheet*	3pts	Manager	3pts
Scores goal	1pt	Team wins	1pt
Midfield player	1pt	Team draws	0pts
Keeps clean sheet*	2pts		
Scores goal	1pt		

POINTS DEDUCTED	
Goalkeeper	1pt
Concedes goal	1pt
Full back/Central defender	1pt
Concedes goal	1pt
All players	1pt
Start off	3pts
* must have played for 75 minutes in the match	
* must have played for 45 minutes in the match	

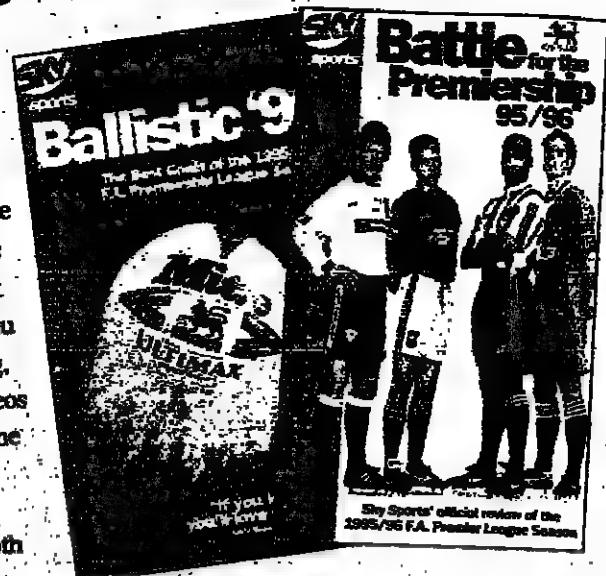
75 minutes in the match  
I must have played for  
45 minutes in the contest



EXCLUSIVE ITF COMPETITION THE TIMES

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As this year's Premiership race heats up, *The Times* Interactive Team Football and Sky Sports give you the chance to see how the contenders dealt with the pressure at the end of last season. You can win a pair of exciting, high quality football videos worth £24.98 featuring the finest of Premiership matches with expert commentary and in-depth analysis. The coverage includes multiple camera angles, Dolby surround sound and super slow motion allowing you to relive the most memorable moments. *Battle for the Premiership* shows the clash of the titans in the epic Premiership title race and *Ballistic '96* is a must for fans who want to re-live the sensational goals scored by some of the world's top footballers.



## HOW TO ENTER

To enter (only players of *The Times* ITF game) send your name, your ITF team name, ITF pin number and the answer to the question below, on a postcard or the back of a sealed envelope to: *The Times*/Sky Sports Comp, 16 Whitefriars St, London EC8S 2NG. Closing date: Friday, January 31, 1997. Winners will be drawn at 10.30pm. Normal TNL rules apply.

**Who scored most goals in the Premiership during the 1995/96 season?**

## CHANGING TIMES

## HOW TO MAKE A TRANSFER IN THE

**Call 0891 866 968**

If telephoning from outside the United Kingdom call 44 990 200 000.

You may only make transfers in one team per telephone call. If you have a team that makes transfers in both, you must make two separate calls.

You may transfer two (but no more than six) men to be replaced by one from the former club's transfer pool. A player being transferred out must be replaced by one from the latter club's transfer pool. A player being transferred out must be replaced by one from the latter club's transfer pool. A player being transferred out must be replaced by one from the latter club's transfer pool.

The transfer week runs from 00.01 on Tuesday to 23.59 on Monday. Transfers made after noon on Monday become effective immediately. Transfers made after noon on the following day become effective on the following day.

If a player or manager moves teams during the season, it may affect the composition of your team. You may transfer a player out, but he then ceases to score for you. If a player or manager moves teams during the season, it may affect the composition of your team. You may transfer a player out, but he then ceases to score for you.

Calls will be charged at 45p per minute cheap rate, 50p per minute at other times. Calls made from public telephones may cost approximately twice as much.

Page 10



## THIS WEEK'S TRANSFERS

IN		
21908 ..	Vladimir Kinsler	Middletonbrough £150m
31905 ..	Paul Elliott	Leicester City £150m
31905 ..	Glenavue Kelly	Leicester City £150m
52405 ..	Claus Thomsen	Swinton £200m
41116 ..	Sebastian Roosendaal	Rangers £400m
21905 ..	Kenny Daiglish	Swinton £400m
OUT		
20604 ..	Paul Parker	Derby County £100m
52603 ..	Gordon Watson	Southampton £150m
52601 ..	Florian Roda	West Ham United £200m
LOANED PLAYERS		
P. Rodriguez (West Ham) to Birmingham, one week; D. Fitzgibbon (Swinton) to Bradford, one week; D. Rodwell (Leeds) to Norwich, one week; S. Hogg (Wrexham) to Millwall, one week; D. Routledge (Leeds) to Norwich, one week; T. Wright (Nottingham Forest) to Macclesfield, one week; Nottingham Forest to Luton, three weeks; Luton to Luton, three weeks; Luton to Luton, three weeks		

Swindon, one week); K. Brown (West Ham to Chelsea, one week); S. Rowe (Wimbledon to Millwall, one week); D. Rocastle (Chelsea to Norwich, two weeks); T. Wright (Nottingham Forest to Ipswich, three weeks); T. Wright (Nottingham Forest to Manchester City, three weeks). Loan periods subject to fluctuation.

**THE LEADING 250 ENTRIES IN THE TIMES INTERACTIVE**

## FIND OUT HOW YOUR TEAM IS DOING



Call the ITF checkline on  
**0891 884 643**  
or write: ITF, 44 Penn 100 343

Check your points total and your ranking. You need a Touch-tone (DT telephone (most push-button telephones with a \* and a hash key as Touch-tone) and your ten-digit selector's PIN. Calls made from public telephones may cost approximately twice as much.

Pos

Team

(Player's name)

Pts

1

John Hunt Taunton D

(J Hunt)

470

2

Where's Ray Gone?

(P Fromm)

472

3

Jones Boys Three

(M Jones)

467

4

John Hunt Taunton H

(J Hunt)

465

5

Jones Boys Eight

(S McGivern)

464

6

Beeston Celtic

(B Gohl)

461

7

Purple Reins

(V Cox)

461

8

Duggans

(J Brown)

459

9

Nobby 33

(S Foster)

447

10

Sophie And Sam

(J Hunt)

456

11

John Hunt Taunton F

(J Brown)

455

12

Nobby 4

(J Brown)

452

13

Nobby

(J Hunt)

451

14

John Hunt Taunton E

(B Hewes)

450

15

Brain's Team

(A Lone)

449

16

Gangsters

(A Boyland)

447

17

AB 4

(R Calder)

446

18

Bob's Boys 2

(P A Amoss)

446

19

Jabberwocky

(J Ward)

446

20

Nonchalant AFC 3

(R Gohl)

445

21

Raj Is Back To Kill 6

(J Hunt)

445

22

Raj Is Back To Kill 5

(J Hunt)

445

23

John Hunt Taunton G

(J Brown)

444

24

Nobby 78

(M Jones)

444

25

Jones Boys One

(M Ward)

439

26

Inter The Stand

(R Gohl)

438

27

Raj Is Back To Kill 7

(G Wells)

438

28

Brainbuns United

(J Brown)

438

29

Nobby 32

(P Turner)

437

30

Turner's Earners 5

(M Larcombe)

437

31

Subwith Utd 5

(D Edmondson)

437

32

Edmo Utd

(M Baber)

429

33

Alie

(A Lone)

429

34

Team C

(P Walters)

429

35

Blademrunners

(J Brown)

427

36

Nobby 21

(J Feather)

427

37

Enid Four

(B Wells)

426

38

Icenis

(J Brown)

425

39

Nobby 11

(P Miles)

425

40

Slarrt

(D Cook)

425

41

12 Angry Men

(K Farhall)

425

42

A2

(P Tusler)

425

43

Pin Ups Two

(J Brown)

423

44

Nobby 22

(J Brown)

423

45

Nobby 5

(G P Dolan)

422

46

Noah's Ark

(P Turner)

422

47

Turner's Earners 6

(M Jones)

422

48

Jones Boys Sky

(J Hunt)

422

49

John Hunt Taunton C

(M Ward)

421

50

Nobby 34

(M Baber)

420

51

Inter The Pub

(A Bates)

418

52

Alb

(A Luckhurst)

418

53

JJB Sports

(J Staszewicz)

418

54

Caroline B

(R Calder)

418

55

NST Monkstone

(R Calder)

418

56

Bob's Boys 4

(M Baber)

417

57

Mars FC

(J Brown)

417

58

Nobby 14

(V Guimaraes)

416

59

Always Portugal 1

(R Layton)

415

60

Layton's Lions 7

(R Lawford)

415

61

Y're Not Very Well

(P Bailey)

415

62

Triple Top Tan

(S Fraser)

415

63

Kinky Imports

(R Calder)

415

64

Bob's Boys 1

(L Clark)

415

65

Autism

(J Brown)

414

66

Nobby J

(R Gohl)

414

67

It's About Revenge C

(A Sullivan)

413

68

Tullip's Tops

(J Brown)

413

69

Almota FC

(J Brown)

413

Pos

Team

(Player's name)

Pts

71

Set Against Cys

(S Shipley)

412

72

4 4 2

(K Browne)

412

73

Joking

(P Fallon)

411

74

Mean Machine

(P Fallon)

411

75

Nobby 7

(J Brown)

411

76

Enid 2

(A Luckhurst)

410

77

Caroline D

(B Gardiner)

410

78

Uni Boys Utd 1

(W Heslop)

410

79

Agapanthus FC

(J Brown)

408

80

Nobby 20

(C Vaneze)

408

81

RKV 3

(R Crook)

410

82

Thorn Footley FC

(M Horen)

409

83

Concrete Banana

(S Mingle)

409

84

Parfick Bibbo 3

(J Hamilton)

408

85

1st Elft

(K J Burns)

408

86

JS August Monthly 1

(J Swirles)

407

87

Bonky Boys 2

(S Roberts)

407

88

Sky Rockets

(K Farhall)

407

89

Mummy's Magicians

(M MacMillan)

406

90

CUOK

(G Weiss)

406

91

Bob's Boys 3

(R Calder)

405

92

Club 18-30 Tossa

(A Robson)

405

93

Turner's Earners 3

(P Turner)

405

94

A

(M Corless)

405

95

John Hunt Taunton B

(J Hunt)

405

96

Nobby 25

(J Brown)

405

97

Deer Rangers 3

(J Brown)

404

98

Brown's Boys 3

(I Clayton)

403

99

Hunter's Mob

(C Hunter)

402

100

Inter The Wallat

(M Ward)

402

101

Simba's Dream

(R A Kitchen)

402

102

Ball Watchers

(J Murray)

402

103

Raj Is Back To Kill 8

(R Gohl)

402

104

Goalkeepers

(D Curzon)

402

105

Taxi Missiles

(M Jackson)

401

106

Langsley Lads

(N Finch)

401

107

Lynne's Lions

(L Hems)

401

108

Gestalt

(R Rowe)

401

Pos

Team

(Player's name)

Pts

109

Shroton

(K Booth)

400

110

Inver The Bin

(P Barnell)

400

111

Inter The Unknown

(R Calder)

400

112

Bob's Boys 5

(D F King)

399

113

Kingsbury Tn 1

(J Swirles)

398

114

JS August Monthly 2

(D New)

398

115

Holmesdale

(I Taylor)

398

116

Superbus

(M Staddon)

398

117

095-ITF Champ

(R Lockyer)

397

118

Misfits

(P J Butler)

397

119

PJB Rovers

(D Senton)

397

120

DJS 2

(R Crook)

397

121

Red Time Boys

(S Miller)

397

122

Dynasno Hills

(S Abbott)

397

123

Paradox Eagles

(M McGovern)

396

124

March Pass

(K James)

396

125

Old In Carry On Jan 2

(J Clayton)

396

126

Tricky Three

(B Bear)

395

127

PJ Thistle

(R Newbould)

395

128

Porbus

(W Clark)

395

129

No Middled

(J Bradshaw)

395

130

Orvieto Classico

(I Roebuck)

395

131

Le Bonestates

(E Kishy)

395

132

Totipot Five

(A Greenwood)

395

133

Fort Academicals

(C Turner)

395

134

Turner's Tigers

(S Mulvaney)

394

135

Norwood XI

(K Booth)

394

136

The Great Dane

(J Rose)

394

137

1970 Jc FC

(S A Luckhurst)

394

138

Caroline C

(M Larcombe)

394

139

Subwith Utd 3

(V Cox)

394

140

I Hate Alan Hansen

(C C Vewers)

394

141

The Demsters

(M Skipper)

393

142

Cardinal Athletic

(B Gohl)

392

143

China Castle

(A Luckhurst)

392

144

Caroline A

(E O'Gorman)

392

145

Rock Bottom

(M Bremner)

392

146

Billy No Mates XI

(A Burton)

391

147

Skyforest

(R Yates)

391

148

Fairfield Dons

(P Leach)

391

149

Elshorne United

(A Lone)

390

150

Team A

(J Goring)

390

151

Jacobs Boys Four

(N Ratcliffe)

390

152

Neil Madrid

(I Doughty)

390

153

Thing Fish

(O Shiele)

389

154

The Dummies 1

(P Perkins)

389

155

Born Losers

(E J Kitchen)

389

156

Edn's Unleashed

(E Kishy)

389

157

Kanfer's Cronies

(J Bittwell)

389

158

BCFC 1998

(K Farhall)

388

159

Fortune Hunters

(J Holliday)

388

160

Aldo is Great

(D Goodwin)

388

161

John Hunt Taunton A

(J Hunt)

387

162

Raj Is Back To Kill 3

(R Gohl)

387

163

Rainbow Warriors

(G Wells)

387

164

Bob's Boys 6

(R Calder)

386

165

Man City Free Zone

(R Hughes)

386

166

Town De Force

(C Guller)

386

167

Beyond Field

(P Bown)

386

168

Tague's Fat XI

(C Tague)

386

169

Star Cleverer

(M MacMillan)

386

170

Cleaveron Loyal

(B Fox)

386

171

The Red Devils

(K Booth)

386

172

Grafton Willows

(R J Brown)

386

173

Dinymy Moscow

(D Wilson)

386

174

Flavio's Left Foot

(A O'Carroll)

386

175

Blythe Spartans

(T Blythe)

386

Pos

Team

(Player's name)

Pts

176

Stanno's Sonics

(H Brasher)

385

177

Shrew Meisters

(J O'Connell)

385

178

Mum's XI

(J Staszewicz)

385

179

Speedy Big Bone

(M Madden)

385

180

Went Factory League

(M Krowood)

385

181

Watermill FC

(T Gordon)

384

182

Styline Striders

(A Shewry)

384

183

Kelly's Best

(M Jones)

384

184

Aldecaric Villa

(S Cook)

384

185

Coolie's Gannans

(J Keison)

384

186

Twfpc 1

(T Webbley)

383

187

Hannah's Bears

(M Smith)

383

188

Haham's Haggis

(H A Rahim)

383

189

Burnet Boys

(A Shewry)

383

190

S Gil Thornton B

(S Gil)

383

191

Infinity Soccer XI

(M Robson)

383

192

Toonschid Utd

(A Siva)

382

193

Gymnasts Army

(S Gray)

382

194

Welland United

(T Sheiley)

382

195

Irwins Best

(L Semperton)

382

196

Charlie's Angles

(C J Yates)

382

197

Armada's United

(S Milton)

382

198

Dubai Changa

(R van Ruitenberg)

382

199

Bow Utd

(K J Burns)

382

200

Drabots

(D Edbrockestaster)

381

201

Erwenge On Jucus FC

(N Har)

381

202

The Three Amigos

(P Farrand)

381

203

Turner's Earners 4

(P Turner)

381

204

Lady's Legions

(L Michaelis)

381

205

Vari

(K Howson)

381

206

Powerage

(I Doughty)

380

207

Raud's Sexy Eleven

(P Patel)

380

208

AC Cambridge

(T Eden)

380

209

LGO 2

(L How)

380

210

lan's B Team

(L Garland)

380

211

Flying Fish

(J W Donaldson)

379

212

Wronco loves Sport

(J W Goody)

379

213

Par's People 2

(M Macmillan)

379

214

Inter Outers

(R Gragorion)

379

215

Langton Longbats

(P Johnson)

379

216

GSM3

(M Ward)

378

217

FC Panta

(A Vaid)

378

218

Deer Old Things

(I Madlock)

378

219

Altingham House

(J Saunders)

378

220

Overpold Overhairs

(G Batchelor)

378

221

Rams 2 Slaughter

(P F Dennis)

378

222

S Gil Taunton A

(J Staszewicz)

378

223

SJZ

(S Gil)

378

224

Das Boot

(J W Goody)

378

225

Graham's Gringos

(D A Sutton)

377

226

Old Cameronians

(G P Passsey)

377

227

Beavris

(R J Brown)

377

228

Am

(G George)

377

229

East Defence

(T Mills)

377

230

Bragons

(J Pregon)

377

231

Beeble Boys

(D Finch)

377

232

Back In Bristol

(A Bates)

377

233

Inter The Net

(D Stone)

377

234

Ebbys 1st XI

(M Ward)

376

235

U Voet U

(S Baloch)

376

236

Doppelgangeru

(J Staszewicz)

376

237

Def Con 3

(I Whaling)

376

238

Foxy

(M Paek)

376

239

Gorgia Boys

(M Fox)

376

240

(K Munro)

376



## The ITF players, their points and their values if you are considering the transfer option

Code	Name	Team	2m	Pts	Wk	Wk
10101	M Watt	Aberdeen	1.50	-3	-6	
10102	N Walker	Aberdeen	1.00	0	-14	
10201	D Seaman	Arsenal	5.00	+4	+30	
10202	V Bartram	Arsenal	0.75	0	0	
10203	L Loe	Arsenal	0.75	0	-10	
10301	M Boudich	Aston Villa	3.50	0	-2	
10302	M Oakes	Aston Villa	1.00	0	+19	
10401	T Flowers	Blackburn Rovers	3.00	+5	+6	
10402	S Glyn	Blackburn Rovers	2.00	0	+4	
10501	G Marshall	Celtic	3.50	0	-1	
10502	S Kerr	Celtic	3.00	-2	+3	
10601	D Kane	Chelsea	2.50	0	+10	
10602	K Hitchcock	Chelsea	3.00	-1	-21	
10603	F Groves	Chelsea	3.00	0	-3	
10701	S Ogrtovic	Coventry City	1.50	-3	-23	
10702	J Fylan	Coventry City	0.50	0	0	
10801	M Taylor	Derby County	1.00	0	0	
10802	R Hought	Derby County	1.00	-5	-20	
10901	A Warrner	Dundee United	0.50	0	+4	
10902	L Key	Dundee United	0.50	0	-1	
11001	I Westwater	Dunfermline	0.50	0	-1	
11101	N Southall	Everton	2.50	-5	-17	
11102	P Bernard	Everton	2.50	0	+1	
11201	G Rouse	Hibernian	2.00	-3	-24	
11301	J Leighton	Hibernian	1.50	-7	-26	
11401	D Laidlaw	Kilmarnock	1.00	-2	-33	
11501	M Beesley	Leeds United	1.50	0	0	
11502	P Evans	Leeds United	0.25	0	0	
11601	N Martyn	Leeds United	2.50	-2	+5	
11602	K Poole	Leeds United	1.00	0	-5	
11701	D James	Leeds United	1.00	+10	-8	
11702	D James	Liverpool	5.00	+5	+25	
11801	P Schmeichel	Liverpool	0.50	0	0	
11802	R van der Gouw	Manchester United	1.00	0	+5	
11901	G Walsh	Middlesbrough	1.50	0	-20	
11902	A Miller	Middlesbrough	1.50	0	-23	
12001	S Horne	Motherwell	1.50	-5	-25	
12101	S Hyslop	Newcastle United	4.00	-4	-8	
12102	P Smith	Newcastle United	3.00	0	0	
12201	M Croxley	Nottingham Forest	2.50	0	-27	
12202	A Fells	Nottingham Forest	0.75	0	0	
12203	T Wright	Nottingham Forest	0.75	0	0	
12301	S Thomson	Raith Rovers	0.50	-3	-28	
12401	A Gorm	Rangers	5.00	-2	+20	
12501	K Pressman	Sheffield Wednesday	2.00	-8	-5	
12502	M Clarke	Sheffield Wednesday	1.50	0	0	
12601	D Beasant	Southampton	1.00	0	-28	
12602	D Beasant	Southampton	1.00	0	-2	
12603	M Taylor	Southampton	1.00	-3	+2	
12701	L Perez	Sunderland	0.50	+2	-14	
12702	A Cotton	Sunderland	1.00	0	+9	
12801	I Walker	Tottenham Hotspur	3.50	-3	-8	
12802	E Baarsden	Tottenham Hotspur	0.50	0	0	
12901	L Miodoski	West Ham United	2.00	0	-13	
12902	S Mawson	West Ham United	0.50	0	+5	
13001	M Sullivan	Wimbledon	1.00	0	0	
13002	P Heald	Wimbledon	1.00	0	0	

Code	Name	Team	2m	Pts	Wk	Wk
20101	S McKinnis	Aberdeen	2.00	0	+8	
20102	L Dizon	Aberdeen	3.00	0	+20	
20201	N Winterburn	Arsenal	3.00	+4	+26	
20202	S Morrow	Arsenal	1.00	0	+1	
20301	S Stanton	Aston Villa	3.00	+1	+28	
20302	A Wright	Aston Villa	3.00	+2	+36	
20303	G Chis	Aston Villa	2.50	0	0	
20304	P King	Aston Villa	0.25	0	0	
20305	F Nelson	Aston Villa	3.00	0	+24	
20401	H Berg	Blackburn Rovers	3.00	+3	+20	
20402	G le Sax	Blackburn Rovers	3.00	+4	+25	
20403	J Kenna	Blackburn Rovers	3.00	+3	+19	
20404	G Croft	Blackburn Rovers	1.50	0	+2	
20501	J McNamee	Celtic	3.00	0	+15	
20502	D Petrus	Celtic	3.00	0	+1	
20601	S Clarke	Chelsea	2.00	0	+7	
20602	S Clarke	Chelsea	2.00	0	+3	
20603	S Clarke	Chelsea	1.00	0	-8	
20701	D Burrows	Coventry City	1.50	-1	-8	
20702	S Burrows	Coventry City	1.50	0	-8	
20703	M Hall	Coventry City	1.50	0	+4	
20704	R Gosses	Coventry City	1.50	0	-2	
20801	C Powell	Derby County	1.50	+1	+1	
20802	D Yates	Derby County	1.00	0	+4	
20803	P Parker	Derby County	1.00	0	+4	
20901	M Milnes	Dundee United	1.00	0	-34	
20902	M Perry	Dundee United	0.50	0	+22	
20903	N Duffy	Dundee United	0.50	0	-7	
21001	C Miller	Dunfermline	0.25	0	-12	
21002	A Tod	Dunfermline	0.25	0	-12	
21101	M Hogg	Everton	2.50	0	+14	
21102	A Hogg	Everton	2.00	-2	-4	
21103	E Barrett	Everton	2.00	-2	-11	
21201	G Locke	Hibernian	2.00	0	0	
21202	N Polton	Hibernian	1.00	-4	-5	
21301	M Miller	Hibernian	1.00	-4	-5	
21302	A Dow	Hibernian	1.00	-4	-5	
21401	G MacPherson	Kilmarnock	0.50	0	+17	
21402	G Kelly	Kilmarnock	3.00	0	+17	
21501	D Delgado	Leeds United	2.50	-1	+1	
21502	P Beasley	Leeds United	0.50	-2	+3	
21503	G Hall	Leeds United	1.00	0	0	
21601	M Whitlow	Leeds United	0.50	0	+6	
21602	S Grayson	Leeds United	0.50	0	+12	
21603	N Lewis	Leeds United	0.50	0	-3	
21604	F Rilling	Leeds United	0.50	0	0	
21701	R Jones	Liverpool	1.50	0	0	
21702	S Barnes	Liverpool	1.50	0	0	
21703	E Bjornbye	Liverpool	1.50	0	+41	
21801	D Irwin	Manchester United	4.00	+4	+33	
21802	G Neville	Manchester United	3.00	+4	+32	
21803	P Neville	Manchester United	3.00	0	+2	
21901	N Cox	Middlesbrough	2.50	-1	-13	
21902	C Morris	Middlesbrough	0.75	-1	-5	
21903	C Fleming	Middlesbrough	0.25	0	-1	
22001	S McMillan	Motherwell	0.50	0	+3	
22101	W Burton	Newcastle United	3.00	-1	-2	
22102	S Watson	Newcastle United	3.00	+1	+18	
22201	R Elliott	Newcastle United	2.50	-2	-17	
22202	J Beresford	Newcastle United	4.00	0	+13	
22301	S Pearce	Nottingham Forest	2.00	0	+4	
22302	A I Hasland	Nottingham Forest	1.00	0	+15	
22401	N Jerling	Nottingham Forest	2.00	0	+4	
22501	P Bonar	Raith Rovers	0.75	0	-8	
22502	D Kirkwood	Raith Rovers	2.50	0	+18	
22601	D Robertson	Rangers	2.00	0	0	
22602	J Brown	Sheffield Wednesday	1.50	-3	+15	
22603	N Nolan	Sheffield Wednesday	1.50	-4	+17	
22701	S Nicol	Sheffield Wednesday	1.00	-1	-2	
22702	D Sifianovic	Sheffield Wednesday	1.00	-5	+5	
22703	L Benteke	Sheffield Wednesday	0.50	0	0	
22704	J Dodd	Southampton	0.75	0	-10	
22705	F Bennett	Southampton	0.75	0	-1	
22706	S Charlton	Sunderland	0.50	+3	+18	
22707	D McLeod	Sunderland	0.50	0	+4	
22708	G Hall	Sunderland	0.25	+3	+8	
22709	J Eriksson	Sunderland	1.50	0	0	
22801	D Austin	Tottenham Hotspur	2.00	0	0	
22802	C Wilson	Tottenham Hotspur	2.00	-1	+18	
22803	J Edinburgh	Tottenham Hotspur	0.50	0	0	
22804	D Kerlake	Tottenham Hotspur	1.00	-1	-5	
22805	S Carr	Tottenham Hotspur	4.00	0	+18	
22901	J Dicks	West Ham United	1.00	0	+8	
22902	T Brecker	West Ham United	1.00	0	0	
22903	K Rowland	West Ham United	1.00	0	+4	
22904	M Bowen	West Ham United	0.50	0	0	
22905	K Brown	West Ham United	1.50	0	+9	
23001	B Tatchell	Wimbledon	0.75	0	+3	
23002	A Kumble	Wimbledon	0.75	0	+3	
23003	K Cunningham	Wimbledon	0.75	0	+3	
23004	D Jupp	Wimbledon	0.75	0	0	
23005	G Perry	Wimbledon	0.25	+3	+21	

Code	Name	Team	2m	Pts	Wk	Wk
30101	B Irvine	Aberdeen	2.00	-2	-2	
30102	C Woodthorpe	Aberdeen	1.50	-1	-4	
30201	A Adams	Arsenal	4.00	+4	+25	
30202	S Bould	Arsenal	3.00	+4	+28	
30203	M Keown	Arsenal	3.00	+3	+28	
30204	A Unghian	Arsenal	1.00	0	+8	



Thirty points is a strong performance by a midfield player, as you would expect from someone of Giggs's quality

Code	Name	Team	2m	Pts	Wk	Wk
30205	S Marshall	Arsenal	1.00	0	0	
30301	G Southgate	Aston Villa	3.50	+2	+17	
30302	U Ehiogu	Aston Villa	3.00	+2	+39	
30303	C Tiler	Aston Villa	1.00	+1	+12	
30305	R Schmechel	Aston Villa	1.00	+2	+17	
30401	C Hendry	Blackburn Rovers	4.00	+4	+25	
30402	I Pearce	Blackburn Rovers	2.50	0	0	
30403	C Coleman	Blackburn Rovers	2.50	0	-3	
30404	N Macker	Blackburn Rovers	0.50	0	+2	
30501	T Boyd	Celtic	3.00	+1	+17	
30502	M MacKay	Celtic	1.50	-1	+8	
30503	A Strubb	Celtic	3.50	0	+11	
30504	B O'Neill	Celtic	3.00	0	+2	
30601	M Duberry	Chelsea	2.50	0	+1	
30602	F Leboeuf	Chelsea	2.50	+3	+23	
30603	P Sinclair	Chelsea	2.00	0	-4	
30604	D Lee	Chelsea	2.00	0	+3	
30605	A Myers	Chelsea	1.50	-1	+4	
30606	E Johnson	Chelsea	1.50	0	+10	
30701	L Dailsh	Coventry City	2.00	0	+5	
30702	R Shaw	Coventry City	1.50	-1	+1	
30801	I Strain	Derby County	2.50	0	-5	
30802	D Wassall	Derby County	1.00	0	0	
30803	P McGrath	Derby County	2.50	-2	-2	
30804	J Laurien	Derby County	1.00	-2	+6	
30804	M Carbone	Derby County	0.50	-3	-4	
30901	S Pressley	Dunfermline	1.00	0	+36	
31001	M Miller	Dunfermline	0.75	0	-3	
31002	I den Blamen	Dunfermline	0.75	0	-18	
31101	D Unsworth	Everton	2.50	-2	+9	
31102	D Watson	Everton	2.50	-3	-8	
31103	C Stuart	Everton	2.00	0	+9	
31201	D McPherson	Hibernian	1.00	-1	+9	
31202	P Rennie	Hibernian	1.00	-1	+12	
31301	J McLaughlin	Hibernian	0.80	0	-4	
30902	B Welsh	Hibernian	0.75	-3	+7	
31302	G Hunter	Hibernian	0.30	-3	+1	
31303	S Dennis	Hibernian	1.00	0	-25	
31401	M Reilly	Kilmarnock	1.50	-1	-5	
31402	R Montgomery	Kilmarnock	0.75	0	-1	
31501	D Wetherall	Leeds United	2.50	-1	+16	
31502	R Johnson	Leeds United	1.00	0	+2	
31503	L Radebe	Leeds United	1.00	-2	+6	
31504	J Pemberton	Leeds United	0.50	0	0	
31505	R Molemar	Leeds United	2.00	0	0	
31601	S Walsh	Leeds United	1.00	0	+8	
31602	J Watts	Leeds United	1.00	0	+11	
31603	P Keane	Leeds United	0.50	-8	-7	
31604	S Prior	Leeds United	1.00	+8	+11	
31701	P Babb	Liverpool	3.50	0	+20	
31702	M Wright	Liverpool	3.50	+4	+26	
31703	N Ruddock	Liverpool	3.00	0	+14	
31704	D Matteo	Liverpool	1.00	+4	+25	
31705	G Pellerin	Manchester United	3.50	+4	+18	
31706	D May	Manchester United	3.00	0	+28	
31803	R Johnsen	Manchester United	2.50	+1	+26	
31901	N Pearson	Middlesbrough	1.50	0	-9	
31902	S Vickers	Middlesbrough	1.50	-1	-11	
31903	D Whyte	Middlesbrough	1.50	-1	-13	
31904	P Whelan	Middlesbrough	0.75	0	-4	
32001	B Martin	Motherwell	1.50	-2	+16	
32002	M van der Gaag	Motherwell	0.75	-3	-5	
32101	A Albert	Newcastle United	4.50	+5	+11	
32102	S Howey	Newcastle United	3.00	0	+7	
32103	D Peacock	Newcastle United	3.00	+1	+5	
32201	C Cooper	Nottingham Forest	3.00	-1	+7	
32202	S Chettle	Nottingham Forest	2.50	0	+8	
32203	S Blatherwick	Nottingham Forest	1.00	0	-5	
32401	R Gough	Rangers	3.00	-1	+8	
32402	A Mackinn	Rangers	3.50	+4	+5	
32403	J Bjorklund	Rangers	3.50	+1	+20	
32404	G Patric	Rangers	2.50	-1	+11	
32501	J Newsome	Sheffield Wednesday	2.00	0	+8	
32502	D Walker	Sheffield Wednesday	1.50	-3	+17	
32503	B Linighan	Sheffield Wednesday	0.25	0	0	
32601	K Monkou	Southampton	1.50	-1	-12	
32603	A Nicholson	Southampton	1.00	0	0	
32603	A Dryden	Southampton	0.50	-1	-5	
32604	C Lundekvam	Southampton	0.50	-2	-14	
32605	U van Goozel	Southampton	1.50	-1	-20	
32701	A Mahville	Sunderland	1.00	+3	+23	
32702	K Reid	Sunderland	1.00	0	+11	
32703	R Ball	Sunderland	0.50	+3	+22	
32801	A Campbell	Tottenham Hotspur	2.50	+3	+23	
31702	J Schees	Tottenham Hotspur	3.50	0	+1	
32802	C Calderwood	Tottenham Hotspur	2.50	-1	+8	
32803	G Macburt	Tottenham Hotspur	2.00	0	0	
32805	K Scott	Tottenham Hotspur	0.50	0	0	
32806	S Northcott	Tottenham Hotspur	0.50	0	0	
32807	R Page	Tottenham Hotspur	0.50	0	0	
32901	A Bannan	West Ham United	3.00	-2	-2	
32902	M Risper	West Ham United	2.50	+5	+14	
32903	S Potts	West Ham United	2.00	0	-2	
32904	R Hall	West Ham United	1.50	0	0	
32905	R Ferdinand	West Ham United	0.50	0	0	
33001	A Reeves	Wimbledon	1.00	0	0	
33003	A Pearce	Wimbledon	0.75	0	0	
33004	A Smithwell	Wimbledon	0.50	0	+4	
33005	B McAllister	Wimbledon	0.50	0	+10	
33006	S Fitzgerald	Wimbledon	0.25	0	0	



Office.



# 2

## TODAY



**Nicholas Hytner  
gives Hollywood  
a new direction  
PAGES 34-36**



**Can the Privy Council hold back the hangman?**  
**PAGES 37-45**



**Sampras blows hot and cold as heatwave takes toll**  
**PAGES 46-52**

**TELEVISION  
AND  
RADIO  
PAGES  
50, 51**

TUESDAY JANUARY 21 1997

**By JONATHAN PEYNN, TRANSPORT CORRESPONDENT**

forecast for a 50 per cent increase in revenue last year despite the break in services. It turned over £450 million, a 62 per cent rise on 1995, the first full year of operation. Executives are also pleased with the pace at which business has grown since the fire. Eurotunnel is running at about 50 per cent of its pre-fire level of shuttle departures, and Eurostar has restored about 90 per cent of its normal service.

In December, Le Shuttle carried 82,026 cars, about half the level of the same period in 1995, but Eurostar comfortably exceeded its 1995 figures, reporting traffic of 257,010 passengers in December.

M Fonsolle is 'cautiously optimistic' about prospects for 1996 and hopes the company will be back on its pre-fire targets for growth by the end of this year. He said Eurotunnel should by 2000 be "one of the most profitable, efficient,

BY ROBERT MILLER AND MARIANNE CURPHEY



### Davis: important first step



**Lord MacLaurin of Welwyn** says the group's price campaign has borne fruit

**BY SARAH CUNNINGHAM**

share price, which closed at 391p. Sainsbury's is due to report on its Christmas trading on Monday, and analysts are expecting its sales growth to be nearer the sector average, believed to be around 4 per cent. They are also predicting that Sainsbury's may launch some more aggressive marketing campaigns to try to win back customers who have drifted away.

"If Tesco's sales are so much above the average, they must be taking market share and Sainsbury's is the most likely candidate among the big groups," one analyst said.

Several analysts upgraded their forecasts for full-year

pre-tax profits at Tesco to £760 million-£765 million.

Tesco put its success down to its "Unbeatable Value" campaign, the continued development of its product range and the popularity of its Clubcard loyalty scheme. It said £56 million worth of vouchers and money-off coupons were issued in November.

Lord MacLaurin of Welwyn, chairman, said: "Our sales have continued to outperform the industry average in what remains a highly competitive climate. We look forward to reporting another good set of results in April."

**Tempus, page 30**

**Tempus, page 30**

**BY JANET BUSH**  
**ECONOMICS EDITOR**

Mr George recalled the 1980s, when domestic demand was allowed to expand unchecked for some time, forcing the authorities, in the end, to bring it to a jarring halt. He said that the current policy dilemma is nowhere near of the same order as the one faced in the 1980s, but he added: "That experience does illustrate that, in the final analysis, there could be real danger in allowing justified concern about the exchange rate to deflect us for too long from moving gradually to moderate the inflation."

Although the Governor was at pains to stress the words "gradually" and "moderate", it is clear that the Bank wanted a rate rise last week and will argue even more strongly for one at the next meeting on February 5.

Yesterday the pound hit DM2.70 for the first time since September 16, 1992, the day it was ejected from the European exchange-rate mechanism.

The mark slumped after Hans Tietmeyer, President of the Bundesbank, said that Germany's recovery was not yet self-sustaining, suggesting that lower German interest rates are on the way.

STOCK MARKET INDICES		
FTSE 100	4194.0	(-13.7)
Yield	3.72%	
FTSE All share	2055.83	(-5.24)
Nikkei	17480.34	(-608.70)
New York		
Dow Jones	8816.55	(-16.55)
S&P Composite	775.56	(-0.61)

US RATE	
Federal Funds.....	Closed (5%
Long Bond.....	(85.77-30

LONDON MONEY	
3-mth interbank	5 1/8% (8 1/2%)
Life long gilt	
Future (Mar)	110 1/2 (111)

STANDING

New York	1.5303*	11.6822
London	1.6027	11.6020
DM	2.7001	12.5878
SFR	3.1062	18.0619
Yen	2.3471	12.2445
Index	185.97	185.37
	98.8	98.6

DOLLAR		
London:		
DM	1.6288 <sup>5</sup>	(1.6175)
FF	5.4910 <sup>4</sup>	(5.454)
Sfr	1.4125 <sup>2</sup>	(1.3998)
Yen	118.08 <sup>2</sup>	(117.33)
\$ Index	100.2	(99.8)

Tokyo close Yen 117.55

**NORTH SEA OIL**

Brent 15-day (Apr) \$22.40 (\$22.10)

**GOLD**

<sup>1</sup> denotes midday trading price

## BY ROBERT MILLER

David Tucker, treasury adviser for the London borough of Lewisham, which has £300 million under the management of Morgan Grenfell, said: "We have been concerned all the way since the Peter Young affair and this doesn't allay our fears at all." He added that the council would consider its pension management arrangements at a meeting on March 4.

Pennington, page 29  
Greater vigilance, page 31

**The Commission on Public Policy and British Business**, a policy group of senior leaders, is urging Britain to join the European single currency, to abandon its opt-out from the European social chapter and to introduce a minimum wage.  
**Page 31, Page 18**

**BY PHILIP BASSETT**  
**INDUSTRIAL EDITOR**

Postal prices rose 1p last year to 26p for first-class letters and 20p for second-class. While few industry observers expected any price rise this year, Post Office leaders insisted yesterday that they would have considered a further increase if Kenneth Clarke, the Chancellor, had pushed up

the previous year's £120 million rise, the EFL was kept broadly stable, with an increase of only £13 million.

But Post Office leaders said yesterday that, had the EFL rise been on a scale of previous increases, postal prices might well have had to rise a further 1p this year.

John Roberts, Post Office chief executive, said: "We would very much like to be in a position where we could

The Post Office said it had enjoyed a record Christmas, with two billion items of mail posted, a 10 per cent increase. The Post Office also revealed that it is aiming to cut £100 million from its management costs, which will mean job losses among managers.

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star of *Trains, Planes and Automobiles* etc.

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 \* Cashback in December 1999 of £1000\*  
 \* Extra 0.25% discount for remortgages over £100,000  
 \* Available for mortgages and remortgages of up to 95% of property's value  
 \* Lender's arrangement fee of £295 added to the loan
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**APR**

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# JOHN CHARCOL



... ..



□ Obscurity beckons again for Mrs Horlick □ Codes honoured more in the breach □ Think-tank ponders privatisation

## Superwoman comes down to earth

□ NICOLA HORLICK can be thanked for adding a little gaiety to what would otherwise have been a drab January. As media circuses go, her departure rates only about four on the Richter scale, way behind Mandy Allwood, say, or various tireless minor royals at play.

There are no weighty moral issues at stake here, and Mrs Horlick can expect to disappear back into obscurity in due course. When the inevitable news quizzes for 1997 appear in the newspapers in 11 months time, how many ordinary readers will remember her name?

As occasional media circuses featuring the City go, however, Horlick is a lulu, up there with December 1988's Death of a Yuppie, when Morgan Grenfell pulled out of share trading and shocked brokers wept publicly in the gutters.

It is up there with Barings, which was helped by it being the Queen's bank going bust. It is far more fun than Guinness or Blue Arrow or even Peter Young, which were all about men in suits doing incomprehensible things with numbers and never really excited the front pages.

In creating her media star, Mrs Horlick started with promising ingredients and capitalised on them by hiring one of the best financial public relations advisers around, who did her proud.

She should now be advised that by next weekend the non-financial pages will have lost interest, so quit while you are ahead and for whatever you can.

Morgan Grenfell has handled the affair appallingly. It appears both tight-fisted and ham-fisted. How much was learnt from the Peter Young disaster? Most clients will probably stay loyal after this one, too, but three strikes and you're out.

The most important question is the damage done to the City's reputation by such public displays of temper tantrums and incompetence. How has this one really played in Frankfurt — and on Wall Street, where the Americans must once again be baffled by the Brits' obsession with each other's salaries?

Here are some more questions the participants might care to answer. For Morgan Grenfell, would it not have been easier to have settled quietly with Mrs Horlick and paid her a seven-figure sum including a fair chunk for keeping quiet rather than publicly suspending her?

For Mrs Horlick, would it not have been better, if all you

wanted was your old job back, to have waited for that in-house tribunal on Friday, which might have supported you, rather than flouncing out like a prima donna and deliberately starting the media feeding frenzy? You can hardly expect to walk back into Finsbury Circus again. And how far advanced were you in finding another job? Was ABB Amro the only firm that approached you, or were there others?

And to you, reader, would you ever have heard of Nicola Horlick had she been a balding, middle-aged man? And how superhuman is it to raise five children on £1 million a year?

### Airtours wings remain unclipped

□ ONE should not be too surprised to discover that most companies' attachment to codes of corporate governance such as Greenbury and Cadbury is at best cosmetic. This is clear from a new submission to the Harewood Committee, which is drawing up yet another one, by PIRC, the pensions consultant. One man



less inclined than most to welcome outside interference is David Crossland at Airtours. Mr Crossland is sometimes depicted as some sort of travel trade anorak with nothing better to do with his spare time than trawl round his competitors' shops.

This may have to do with his mild-mannered appearance, but he is in fact the automatic driving force behind the growth of Airtours into the country's second biggest travel operator, and he is not going to give up control to a gaggle of politically-correct busybodies now.

Airtours is on collision course with institutional shareholders because these have been whipped into some semblance of action by PIRC, which also

makes a habit of patrolling the badlands of the corporate governance debate and bringing in some of the harder cases for questioning.

Mr Crossland stands accused of having three out of five of his non-executives rather closer to the company than is the ideal. Verdict: guilty.

He is also accused of deliberately ramming through a potentially lucrative long-term incentive plan without seeking approval from shareholders shortly before such approval would have been mandatory. Verdict: guilty, probably.

Airtours blames it all on bad timing: the company admits it was aware of the forthcoming Stock Exchange requirement. Precious little good the fuss will do. One big institution, Schroders, with 12 per cent, has decided to back away from the final sanction, the rejection of the accounts at Thursday's annual meeting. Quiet pressure behind the scenes will be met with a polite reference to the upward spiral in Airtours's share price.

The market expects Airtours to be taken out sooner or later by

Carnival Corporation of the US, its 29.5 per cent shareholder. That will decide just how much the new scheme is worth.

### The benefits of political hindsight

□ THEY have been busy at the Institute for Public Policy Research. Not content with birthing the Commission for Public Policy and British Business, they say that utilities privatisation does not bring any intrinsic benefit. Efficiency comes instead from regulation and competition.

Just when we all thought there was barely a dividend cheque's width between Mr Blair's thinking on state ownership and the Government's, his favourite think-tank sees no obvious link between privatisation, as being practised anywhere else on the globe barring the people's paradises of Cuba and North Korea, and lower prices to consumers.

Instead, selling off the public utilities has led to bills varying widely between different water regions and big business doing better than the general public

from the phones, gas and power. Curious, the ideological tangles as old Labour, of whom this is the authentic voice, transmutes into the new coinage. If the above is true, then the better service and lower prices since privatisation could have been achieved under state ownership. Except that they were not, over a period of 40 years or more.

Except that it is inconceivable that a state bureaucracy could have halved the size of British Telecom's workforce over a decade, or cut that of the two fossil fuel generators by a third.

One might reasonably argue about the social cost of throwing so many hundreds of thousands on to the dole in return for a few bob off phone bills — except that Labour, sorry its main ideas factory, does not. The implication is that under a Labour government, the pruning would have been just as ruthless. Except that it wasn't.

### Imprudent advice

□ THERE is only one lesson to be learnt from the Prudential's belated surrender to a trade union over pensions mis-selling, after the Pru had consistently denied giving customers bad advice, and it has nothing to do with financial services. The lesson is, if you are in a hole, don't try to lie your way out of it.

## US price competition damages Thorn hopes

By PAUL DUEMAN

FIERCE price competition in the US and an unsuccessful attempt to introduce furniture into the UK yesterday forced Thorn to give warning that its profits will fall to meet City expectations.

A disappointing third-quarter trading statement from the rental business caused a further collapse in its shares, which fell 42½p to 205p. They have virtually halved in value since August, when the company was demerged from the music industry interests of the old Thorn EMI.

Thorn said the poor Christmas trading on both sides of the Atlantic will hit its final-quarter results. With the translation effect of the strong pound, Thorn said this will

leave full-year pre-tax profits "broadly unchanged" at about £170 million.

Mike Metcalf, Thorn's chief executive, said Radio Rentals was hit by an attempt to introduce furniture to the chain's existing offering of televisions, video recorders and domestic appliances. He said: "We put a lot of effort behind the furniture range but we got very little for it. Our efforts would have been much better applied to pushing out existing product range."

Radio Rentals suffered another problem with personal computers, where an attempt to sell more higher specification machines was unsuccessful.

The result was a "disappointing" 2 per cent rise in

like-for-like installations of equipment during the third quarter. By comparison, in the first half of the year, Radio Rentals' installations were rising by more than 20 per cent.

By December 31, Radio Rentals' revenue base had fallen 2 per cent below the level a year earlier. The benefit of new installations was outweighed by cancelled agreements and the loss of revenue from maturing Option-2-Own contracts.

In the US, where Thorn owns Rent-a-Center, "performance in December fell well short of expectations". Mr Metcalf said fierce competition had cut the cost of small televisions and video recorders to \$100, making it difficult for a rental business to compete. For the nine months in

the US, like-for-like turnover fell 5 per cent.

Mr Metcalf said Thorn was "very pleased" with the "excellent" results from Crazy George's, a rental chain of 54 stores that offers consumer electronics, domestic appliances and furniture to families whose annual income is less than £10,000 a year. He would not comment on the performance of the French store, which was briefly closed after complaints about its promotional material.

Unaudited pre-tax profits for the nine months reached £123 million, an 8 per cent rise on last year's pro forma total. Sales were 5 per cent higher at £1.2 billion.

Temps, page 30

### Reed Elsevier plans to buy Colofon

REED ELSEVIER, the publishing company, said yesterday that it is close to buying Colofon, a Dutch professional and business publisher, for about £45 million (Alasdair Murray writes).

Colofon, which employs 250 people, had a turnover of 70 million guilders (£23 million) for the year to the end of June.

Reed said it would be integrated into Elsevier Business Information and that the acquisition is expected to be earnings enhancing in the first year.

Colofon said that the sale was being made because of the potential benefits from being part of a larger group. The management board will join Elsevier Business Information.

Shares of Reed International rose 4p to £10.21½.

## Budgens strategy brings 18% jump

By SARAH CUNNINGHAM

BUDGENS, the supermarket group, yesterday provided further evidence that its abandonment of hard-discounting has paid off by reporting an 18 per cent jump in interim profits.

In the 28 weeks to November 10, pre-tax profits were £5.04 million, compared with £4.28 million a year ago.

Sales from same stores were 4.5 per cent ahead in the half, but dipped around Christmas. John von Spreckelsen, chief executive, said that he was not surprised by the dip because customers tended to migrate to supermarkets before Christmas.

He said that in the last 18 months he had made great strides in improving product quality, availability and value. We are now focused on upgrading the store environment by adopting a new store design concept and on improving service levels by investing in a major training programme.

Earnings per share were up 10.6 per cent to 2.3p, while the interim dividend, payable on April 14, rose 14.3 per cent to 0.4p a share. Budgens, which two years ago switched its emphasis from low prices to fresh produce and good service, plans to open ten more stores in 1997. An undisclosed number of petrol forecourt stores will be opened under an agreement with Mobil and BP.

Despite tough competition in the high street from the likes of Tesco Metro, Mr von Spreckelsen said that Budgens stores occupied a secure niche: "We are complementary to discounters and to supermarkets."

He said: "In the last 18 months we have made great strides in improving product quality, availability and value. We are now focused on upgrading the store environment by adopting a new store design concept and on improving service levels by investing in a major training programme."

The performance of the shares has failed to match the enthusiasm that preceded the flotation in November. Offered at DM28.50, the shares rose to DM34 but have fallen to DM30. Temps, page 30

### Telekom dividend message

THE lacklustre performance of Deutsche Telekom shares has forced the German phone group to make an unscheduled trading statement to calm investors' fears (Oliver August writes).

The company said sales rose 6 per cent to DM63 billion and earnings were above expectations last year. A dividend of 60 pfennigs a share will be paid after official results are announced on May 13. Ron Sommer, chairman, said: "Deutsche Telekom will exceed previous estimates for the full year."

The performance of the shares has failed to match the enthusiasm that preceded the flotation in November. Offered at DM28.50, the shares rose to DM34 but have fallen to DM30. Temps, page 30

## Majestic toasts sparkling festive sales performance

By PAUL DUEMAN

STRONG sales of champagne and a Chilean wine promotion helped Majestic Wine to enjoy a sparkling Christmas, with a 12.7 per cent rise in like-for-like sales for the last five weeks of 1996.

Tim How, chief executive, said Chilean wine at £2.99 a bottle was one of Majestic's biggest sellers over Christmas.

Majestic, which will open its latest warehouse store, its 62nd, in Manchester next month, was reporting its first results since it joined the Alternative Investment Market in November. Excluding an exceptional writedown of property values, first-half pre-tax profits rose to £465,000, from £114,000 a year earlier. In its prospectus, Majestic forecast a profit of at least £450,000.

Total sales were 27.7 per cent ahead at £21.9 million. As previously reported, like-for-like sales rose 14.3 per cent.

Mr How said Majestic was delighted with the growth in sales and profits. "Our Christmas sales were particularly encouraging," he said.

Sales in the quarter to December 30 increased 22.4 per cent, with like-for-like sales up 10.8 per cent.

Majestic has recently opened stores in Chelmsford, Essex; Chapel Allerton, Leeds; Epsom, Surrey; and Mayfair. It is seeking more sites. The £547,000 exceptional writedown related to stores bought in the 1980s. There is no interim payout, but a final is planned.



Tim How is looking for more warehouse sites

## Victrex shares fall after warning

By FRANK NELSON

VICTREX, the specialist plastics manufacturer, lost £21 million from its market value yesterday after issuing a profit warning a week after giving a bullish trading statement at its annual meeting.

The company, which last Monday told shareholders that trading was going strongly, said its internal forecasting unit had since discovered that its exposure to currency changes was much higher than estimated.

It also said that business was showing signs of slowing down this month.

Victrex shares, which joined the market 13 months ago at 238p, plunged from 266p to a new low of 167½p yesterday before settling at 173½p.

The discovery came three days after the departure of Howard Butterworth, its former finance director, who had retired because of ill-health after three years of service.

Peter Rowley, chairman, said that Mr Butterworth was not under suspicion. He added that external auditors were being called in to investigate how the situation had not come to light earlier.

As the company generates 97 per cent of its sales from overseas, analysts estimated the impact on year-end profits would be £3.7 million, taking the 1997 forecast down to £12.2 million. Victrex made £12.8 million before tax last time.

## Free calls — complete with ads

By OLIVER AUGUST

EVEN your private phone calls may no longer be beyond the reach of advertisers. A Swedish company is offering free calls to customers who are happy to endure commercials during phone conversations.

The scheme is being tested in the Swedish villages of Lund and Norrköping. Britons with relatives in either would have had their Christmas calls interrupted every three minutes by ten-second messages for chocolate bars, films and local radio stations.

Gratistelefon, the Swedish operator, has long-term plans to bring the scheme

to Britain. But Steve Thorpe, membership services manager for the Telecom Users Association, said: "I do not think this scheme would go down too well at all in this country. We get enough ads on the television without being bombarded by them on the telephone."

"Even if a user does agree to the service, what about the person on the other end of the line. It is bound to drive them crazy. Can you imagine being constantly interrupted mid-conversation by ads for washing powder and margarine?"

BT also expressed doubts. A spokesman said: "I cannot see it catching on here. It is certainly not something we are

considering at the moment." The Advertising Standards Authority said: "The messages have to be honest and truthful to be allowed in Britain. We will be monitoring the situation very carefully."

To make free calls to any number in Sweden, callers dial Gratistelefon's toll-free number and then that of the person they want to contact. A commercial follows while the caller waits to be connected. Then the conversation is punctuated by a ten-second commercial break after the first minute and every three minutes after that.

Leading article, page 19

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**MICHAEL CLARK**

29	Salmon River	69%
30	Salmon River	69%
31	Salmon River	69%
32	Scherer Fought	69%
33	Shelby	69%
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# THE TIMES

## CITY DIARY

### Caught on camera

AS THE Horlick story shows little sign of growing a skin, and even less of warming up, the conspiracy theorists are having a field day. The latest tidbit include Morgan Grenfell having nine months of taped telephone recordings to back up its allegations against its former star manager. Then there's the one about Morgan Grenfell hiring a private detective to track Mrs Horlick's movements. Our bank insider insists that neither is true, adding wearily: "If we wanted to know where Nicola Horlick was, we only had to switch on the television or ask a journalist."

### All change

START your stopwatches: another newcomer has arrived at the Institute of Directors. First to bow out was Brian Salter as head of communications, leaving Liz Llewellyn to work alongside Ruth Lea, the IoD's head of policy. After nine years, Llewellyn left. Sam Parkhouse came in, and departed just five weeks later, last Friday. Step forward Jolie Straton, a former Press Association reporter.

TORY supporter Lord MacLaurin appears a little overzealous in his political path. The chairman of Tesco was quoted (he says misquoted) in yesterday's Evening Standard insisting that he will vote Conservative in the next election. But, as Lord King points out in the same piece, members of the House of Lords are barred from voting. As are loonies and crooks.



"Let's order more champagne"

### Distrust

STREETWISE Michael Hart outwitted pickpockets while holidaying in Argentina. The chairman of Foreign & Colonial was wandering the streets of Buenos Aires with his wife Sheila when a gang of three stole up to them from behind and ran off with the contents of Hart's back pocket. Fortunately for Hart, he was very aware of the tactics of the Argentine underworld, and all that was stolen was a map of the capital. Even better, it was the couple's last day before they headed off to the Antarctic. "I was quite surprised at how audacious they were," Hart marvels.

### Conversion woe

SINCE he arrived to work in the Halifax press office, Chris Sonne has done nothing but work on the Halifax conversion. Despite this selfless devotion to the building society's eight million savers and borrowers, Sonne is himself ruled out from receiving any windfall: he joined the Halifax after the first qualifying date. "Poor love — it shows how unfair our distribution is," says a spokeswoman. "We'll have a whip-round on conversion day, and buy him a cup of coffee."

THE tiny museum in Ohio dedicated to Thomas Alva Edison, the father of the electric light bulb who was born 150 years ago, was so strapped for funds that it had to ask local officials for help in paying the electricity bills.

MORAG PRESTON

# Pensions guardians must show greater vigilance

Robert Miller looks at the upcoming tough new regime for fund trustees

Pension fund trustees view the glare of publicity surrounding the high-profile antics of the Horlick affair at Morgan Grenfell with much distaste. Nevertheless, the whole business serves as a timely reminder about the role that pension fund trustees play in safeguarding some £500 billion of assets invested on behalf of millions of employees in 200,000 registered occupational schemes.

Trustees face onerous responsibilities under new rules laid down by the Pensions Act 1995 and that really begin to bite on April 6. From that date, trustees who preside over a fund where something goes wrong and where they failed to spot what was happening could face imprisonment in a worst-case scenario.

Under the present regime, trustees are bound by special legislation, but after April there will be very specific guidelines about how money held in pension funds should be monitored and managed. And top of the list will be picking the appropriate fund managers.

One of the more lurid fates that doomsayers have visited on Morgan Grenfell is that its pension fund clients will desert in droves and in a very short time. That is wide of the mark and may indeed never happen. Barings saw some of its pension fund clients leave after the Nick Leeson affair, but this was not done in the immediate aftermath, or as a response to the crash, but rather over a prolonged period as its previous good performance began to wane in certain sectors.

The potentially draconian penalties for negligent trustees, some of whom will be elected by fellow scheme members, are designed to reassure those who belong to company pension schemes that their money is being well looked after, and that another Robert Maxwell will not happen. No amount of legislation in the world, however, can prevent another disaster, but it can at least place a far greater onus on trustees to be vigilant.

Bill Birmingham, manager of benefit services at the National Association of Pension Funds (NAPF), says: "There will be a statutory obligation in future for trustees to specifically select the fund manager or managers."

However, disappointed a trustee might be in the high-profile antics at any particular house they have appointed as manager, they will be far more concerned to check that the assets are secure and that they are being properly managed. One of the aspects not often raised in the Nicola Horlick affair is that her UK pension fund division, which looked after £18 billion of assets, was very definitely not a one-manager business. Working with her was a very able team that is still in place. Pension fund trustees actually tend to eschew the star-trader syndrome in favour of solid, and



Ann Robinson, of the NAPF, and John Hayes, chairman of the new pensions authority

even more important, consistent returns. And that is what Morgan Grenfell has provided its pension fund clients with over the past five years.

However, in three months' time, when the first-quarter post-Horlick performance review is published, trustees will then consider whether to stick with it or look for alternatives.

Most contracts between managers and trustees can be severed within three months, but before then the trustees will have to build a sufficiently

strong case to switch. In the event of a disaster happening the custodians will have to justify their decision at the time and the due diligence steps they took to John Hayes, the chairman of the new statutory Occupational Pensions Regulatory Authority (OPRA).

Mr Birmingham of the NAPF, headed by Ann Robinson and whose members look after £400 billion of assets on behalf of seven million members and four million pensioners, says that under the new rules trustees will not only have to assess the past, present and future performance of any likely fund managers they wish to employ, but also set out the

investment parameters. He explains: "Having set out a statement of investment principles they will then have to explain the profile of their members."

Such information will include details on the age of scheme members, how many are pensioners, how many are close to retirement and, therefore, what sort of split a portfolio should have to meet these commitments.

If, for example, a particular scheme has a large constituency of members close to or in retirement, then the selection of any new fund manager will have to consider that gilts and bonds might be better suited as investments to meet the pension payments than equities and that will influence the final appointment.

Trustees will also have to tell managers what sort of percentages they want invested in geographical markets, such as North America, the Far East, Europe and the UK, and what exposure they want to sectors such as property.

Trustees looking to switch managers will also have to study the various investment techniques used. For example, some money managers favour the "top-down" approach, pick the country or sector and then filter down until you come to the right company, others prefer "bottom-up" by picking the company or stock first regardless of sector or region. Some managers build sophisticated computer programs and let them do the portfolio building.

Until now pension fund trustees have tended to stick to the big investment houses in the City such as Schroders, Mercury Asset Management, Kleinwort Benson and Garmore. But as trustees have more and more say in who should be appointed and how the money should be managed, small boutique operations, already widely used in America, could begin to flourish.

One such is run by Crispin Odey. He left Barings and in 1992 set up Odey Asset Management, which manages nearly \$400 million, including some UK pension fund money. Mr Odey says: "Fund managers are designers not manufacturers. We all have different styles and some houses have two different approaches under one roof, so the chances are that when one is on the wane the other will be ready to shine."

Morgan Grenfell may have been put on notice that every move it makes is under scrutiny by anxious pension fund trustees. But for the next three to six months the managers will have the chance to show their mettle and that regardless of the often lurid headlines it is still a fine manager of money.

## Fund trustees face onerous responsibilities under rules laid down by the Pensions Act 95

# Blueprint spells out the policies to guide a government led by Blair

Philip Bassett highlights the proposals put forward by leading business figures

THE year is 2007. Three per cent inflation is a dim memory. Interest rates are low, and investment is up, fuelled by a more favourable tax treatment for business. Unemployment is about 4 per cent, and long-term joblessness eliminated by special measures. Crime has fallen. Small company numbers are rising, and their failure rate falling.

The single market in Europe, and improved competition policy at home, has shortened the UK's long tail of underperforming firms. Management focus is more long-term, and takeovers are fewer. Britain's workforce is better trained, and the UK's productivity is improving.

Fantasy? Not according to recommendations today on the future of British business, from a collection of hard-headed business leaders assembled by the Institute for Public Policy Research, the centre-left think-tank with close connections to Tony Blair, leader of the Labour Party.

"We believe that all these outcomes are achievable," the IPPR's Commission on Public Policy and British Business says, "as the vigour and enterprise of the private sector interact with the intelligent commitment of public policy."

How they can be achieved will be the subject of a fierce political clash today at the launch of the commission's report in London. Michael Heseltine, the Deputy Prime Minister, has forced his way into the report's launch conference, and his speech immediately after one from Mr Blair is expected to support the study's emphasis on competitiveness — but attack some of its key conclusions, especially on politically sensitive issues like the minimum wage, the social chapter and the single currency, all of which the report supports.

Today's report is a blueprint for business — and for Labour — although commission leaders will emphasise today the political neutrality that they have worked to achieve. The Times has

already detailed most of what the report says, but its principal findings today include:

□ The single currency. Business leaders on the commission argue that Europe's single market is vital for British business, and that Britain needs to maintain its place in Europe to keep arguing for liberalisation and free trade. While they accept that it remains unclear whether these key objectives can be achieved without Britain entering EMU, they say that "it seems doubtful that they can be achieved if EMU becomes an inclusive system with the great majority of EU states as members but with the UK remaining outside". The commission acknowledges that it has no unanimity about the economic advantages, and urges the Government — of whatever political hue — to remove uncertainty on it as soon as is possible. The commission is also worried about the "entirely undemocratic" structures for the setting of monetary policy which EMU entails.

□ The social chapter. While the commission says that "most employers are hostile to the social chapter", which they believe will lead to Europe's high non-wage labour costs being imported to the UK, business leaders on the commission conclude that the social chapter's current provisions, which the Conservative Government has vociferously opposed, are "fairly innocuous",

and judge that the social chapter will not ultimately impose continental costs on the UK. Concluding that "the benefits of the single market far outweigh any current or probable costs of the social chapter", the commission says "if opting in is the only way to preserve the single market and Britain's influence in its construction, we would advocate signing up".

□ A minimum wage. The commission supports the continued extension of in-work benefits as a means of breaking the poverty trap and attacking long-term unemployment — a position wholly in line with business bodies such as the CBI. But the commission says the policy has an "inherent danger" — employers using the availability of such benefits in effect to top up their own wages. To prevent this form of state subsidy, the commission supports the introduction of a minimum wage as a means of "putting the bottom back in the bucket of in-work benefits". Business nervousness about the recommendation is underlined by the commission's insistence that a national minimum should be introduced at a level that will not destroy jobs.

□ Macroeconomic policy. As well as an inflation target, the report argues for a growth target of a particular figure for nominal GDP. It proposes some independence for the Bank of England, giving it control of interest



Blair: speech

rate policy, with the Government retaining overriding powers in an economic emergency. Public finances should move to a system of accruals accounting, as the Treasury wants.

□ Corporate governance. The commission favours stakeholding in the way companies are run — firms taking full account of relationships with suppliers, customers and employees as well as shareholders. The commission recommends changes in company law to require firms to report on non-financial performance measures, though it steers clear of any changes aimed at setting new legal restraints on takeovers. It proposes extending employee rights to information and consultation, and liberalising current law on the issue of non-voting stock.

□ Competition. The commission argues for a shift to a prohibitive approach, linked to fines of up to 10 per cent of a company's turnover in a market, and an increase in the powers of the Director-General of Fair Trading. It rejects combining the responsibilities of the OFT and MMC in favour of making the OFT the investigating body and the MMC the adjudicator.

□ Education and training. It recommends improving quality in schools through higher spending, funding nursery places for all three to four-year-olds, cutting primary school class sizes to 30 or less, and compulsory training for young workers. Britain has of course seen such economic blueprints before — sets of worthy proposals which often get put aside in the hurly-burly of business and politics. That may yet happen to the commission's recommendations as it largely did to those of its predecessor, the Commission on Social Justice, which was set up by John Smith, Mr Blair's predecessor. But with business acknowledging at the very least the real possibility of a Labour government within the next few months, today's measures stand a strong chance of shaping a new Labour government's policy on business.



ANATOLE KALETSKY

# Rich breathe sigh of relief

SO now we know: a Labour government will not cost even the rich any more in personal taxes. Or do we? Gordon Brown's long-awaited tax announcement leaves plenty of questions unanswered and in the coming days the Tory political machine will be doing its utmost to maximise public doubts about what Labour's promises may or may not really mean. But let us take Mr Brown at face value. He has promised that the top rate of tax will remain at 40p throughout the next parliament, that the standard rate will not be increased above the present 23p and that VAT will not be extended to cover such exempted items as food, books and children's clothes.

Apart from the ill-fated shadow Budget presented by John Smith in 1992, Mr Brown's speech offers probably the longest and most detailed list of explicit promises ever presented to British voters before an election. The Labour position on taxes is now as clear as that of the Tories. But that is not saying very much.

Even if we assumed that all manifesto promises would be strictly adhered to, no British voter could have much idea about how much he or she would pay after the election — and this would apply regardless of which party won. This is because the tax rates which attract such political and media attention are not the most crucial element of the tax system. For most people, the structure of allowances and reliefs and the levels of income at which taxes are levied are more important than the "headline" rates of tax. By varying the allowances, it is perfectly possible for a government to raise taxes dramatically while appearing to cut the standard rate. This was the stunt pulled by Kenneth Clarke and Norman Lamont in 1993 and 1994. Given the tightness of the Tory public spending plans and the pressure from financial markets to continue narrowing the government deficit, Mr Brown is almost certain to try the same sleight of hand.

Should we, then, simply ignore the promises made both by Mr Clarke and Mr Brown? The answer is "not quite". Although it is impos-

sible to predict how much tax we will pay next year, never mind at the end of the next parliament in 2002, the promises made yesterday do foreclose certain options.

The main possibility that is now pretty well excluded is a large increase in the tax-take from the very rich. Ironically, one of the very few groups of taxpayers almost immune to tax increases by the backdoor are the 200,000 people with incomes above £100,000. These people are not significantly affected by changes in allowances and reliefs, since they get comparatively little benefit from them. Even the complete abolition of child benefits, personal allowances and mortgage tax relief would add less than 5 per cent to the tax bill of somebody earning £150,000. An increase in the top rate of tax from 40p to 50p, by contrast, would increase this person's tax burden by almost 25 per cent.

Apart from a higher top rate, the only other way for Labour to squeeze the very rich would be to lift the ceiling on national insurance contributions — as John Smith notoriously proposed in 1992. This measure would be very similar to a 10p increase in the top rate. Significantly, Mr Brown did not rule it out yesterday. In practice, however, any increase in national insurance would be a calamitous own goal for Labour. This is because the national insurance system cannot be targeted on the very rich in the same way as the income tax system. If national insurance were used to squeeze more money out of the very rich it would also hit the people whose fickle political sensitivities most worry Labour: the skilled workers and middle managers on £30,000 to £40,000.

One way or another, these middle-class voters will probably end up paying all sorts of disguised extra taxes, whichever party is in power. But ironically their extreme sensitivity to headline tax rates will help to protect the very rich. So if you earn more than £100,000 a year you can breathe a sigh of relief. Labour will keep its hands out of your pockets — at least until the parliament after next.

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71A	274 Ralston Ind	59 1/2	+27.174	291	194 RMI	152 1/2	+3.10
72A	274 Ralston Ind	59 1/2	+27.174	292	194 RMI	152 1/2	+3.10
73A	274 Ralston Ind	59 1/2	+27.174	293	194 RMI	152 1/2	+3.10
74A	274 Ralston Ind	59 1/2	+27.174	294	194 RMI	152 1/2	+3.10
75A	274 Ralston Ind	59 1/2	+27.174	295	194 RMI	152 1/2	+3.10
76A	274 Ralston Ind	59 1/2	+27.174	296	194 RMI	152 1/2	+3.10
77A	274 Ralston Ind	59 1/2	+27.174	297	194 RMI	152 1/2	+3.10
78A	274 Ralston Ind	59 1/2	+27.174	298	194 RMI	152 1/2	+3.10
79A	274 Ralston Ind	59 1/2	+27.174	299	194 RMI	152 1/2	+3.10
80A	274 Ralston Ind	59 1/2	+27.174	300	194 RMI	152 1/2	+3.10
81A	274 Ralston Ind	59 1/2	+27.174	301	194 RMI	152 1/2	+3.10
82A	274 Ralston Ind	59 1/2	+27.174	302	194 RMI	152 1/2	+3.10
83A	274 Ralston Ind	59 1/2	+27.174	303	194 RMI	152 1/2	+3.10
84A	274 Ralston Ind	59 1/2	+27.174	304	194 RMI	152 1/2	+3.10
85A	274 Ralston Ind	59 1/2	+27.174	305	194 RMI	152 1/2	+3.10
86A	274 Ralston Ind	59 1/2	+27.174	306	194 RMI	152 1/2	+3.10
87A	274 Ralston Ind	59 1/2	+27.174	307	194 RMI	152 1/2	+3.10
88A	274 Ralston Ind	59 1/2	+27.174	308	194 RMI	152 1/2	+3.10
89A	274 Ralston Ind	59 1/2	+27.174	309	194 RMI	152 1/2	+3.10
90A	274 Ralston Ind	59 1/2	+27.174	310	194 RMI	152 1/2	+3.10
91A	274 Ralston Ind	59 1/2	+27.174	311	194 RMI	152 1/2	+3.10
92A	274 Ralston Ind	59 1/2	+27.174	312	194 RMI	152 1/2	+3.10
93A	274 Ralston Ind	59 1/2	+27.174	313	194 RMI	152 1/2	+3.10
94A	274 Ralston Ind	59 1/2	+27.174	314	194 RMI	152 1/2	+3.10
95A	274 Ralston Ind	59 1/2	+27.174	315	194 RMI	152 1/2	+3.10
96A	274 Ralston Ind	59 1/2	+27.174	316	194 RMI	152 1/2	+3.10
97A	274 Ralston Ind	59 1/2	+27.174	317	194 RMI	152 1/2	+3.10
98A	274 Ralston Ind	59 1/2	+27.174	318	194 RMI	152 1/2	+3.10
99A	274 Ralston Ind	59 1/2	+27.174	319	194 RMI	152 1/2	+3.10
100A	274 Ralston Ind	59 1/2	+27.174	320	194 RMI	152 1/2	+3.10
101A	274 Ralston Ind	59 1/2	+27.174	321	194 RMI	152 1/2	+3.10
102A	274 Ralston Ind	59 1/2	+27.174	322	194 RMI	152 1/2	+3.10
103A	274 Ralston Ind	59 1/2	+27.174	323	194 RMI	152 1/2	+3.10
104A	274 Ralston Ind	59 1/2	+27.174	324	194 RMI	152 1/2	+3.10
105A	274 Ralston Ind	59 1/2	+27.174	325	194 RMI	152 1/2	+3.10
106A	274 Ralston Ind	59 1/2	+27.174	326	194 RMI	152 1/2	+3.10
107A	274 Ralston Ind	59 1/2	+27.174	327	194 RMI	152 1/2	+3.10
108A	274 Ralston Ind	59 1/2	+27.174	328	194 RMI	152 1/2	+3.10
109A	274 Ralston Ind	59 1/2	+27.174	329	194 RMI	152 1/2	+3.10
110A	274 Ralston Ind	59 1/2	+27.174	330	194 RMI	152 1/2	+3.10
111A	274 Ralston Ind	59 1/2	+27.174	331	194 RMI	152 1/2	+3.10
112A	274 Ralston Ind	59 1/2	+27.174	332	194 RMI	152 1/2	+3.10
113A	274 Ralston Ind	59 1/2	+27.174	333	194 RMI	152 1/2	+3.10
114A	274 Ralston Ind	59 1/2	+27.174	334	194 RMI	152	





FILM

Witches' brew: Nicholas Hytner on the filming of Arthur Miller's classic play, *The Crucible*



THEATRE 1

One Last Surviving explores the plight of the homeless in notably unsentimental and effective style

THE TIMES ARTS



THEATRE 2

It doesn't help to be Irish: in Dublin the Abbey Theatre makes a mess of Oscar Wilde



TOMORROW

Putting Pfitzner's *Palestrina* on stage: director Nikolaus Lehnhoff introduces a Covent Garden epic

# No thorns in Hytner's Hollywood

Years of putting old plays on stage helped Nicholas Hytner to get Arthur Miller's *The Crucible* on film, Matt Wolf reports

For a man who had never even held a movie camera until three years ago, Nicholas Hytner is doing pretty well in his new career as a filmmaker. Before that, of course, the Cambridge-educated Hytner was one of our leading opera and theatre directors, whose name was regularly mentioned in arts world parlour games about who would take over the National Theatre.

Instead, Hytner took himself out of consideration for such a job and began directing films, where with his two projects to date he has achieved a success so far unmatched by other theatre colleagues (Peter Hall, Trevor Nunn) who have dabbled in cinema.

*The Madness of King George* in 1994 turned a tidy profit and was up for four Oscars, despite being an essentially downbeat story with a cast all but unknown to the multiplex cinema audience. Currently on release in America and due in Britain next month is Hytner's film of Arthur Miller's *The Crucible*, which is hotly tipped to figure in the Oscar nominations to be announced on February 11. With both films based on award-winning plays, Hytner looks to be a dramatist's best hope of making a smooth transition to the big screen.

As a film director, Hytner has a talent for retaining the power of his theatrical source material while reinventing the plays cinematically so that they do not seem stagey. In *King George*, the camera was a restless, whirling presence, scurrying around the palace as if it could barely keep pace with its porphyria-plagued Hanoverian monarch.

Similarly, *The Crucible* begins not with a history lesson about New England Puritanism, but with the forest rituals of a community of girls brought together by a desire for erotic release. Miller wrote the screenplay, which differs substantially from his original play.

Although both films are period pieces, there is nothing embalmed about them: Hytner knows how to make movies move. "That actually comes, perhaps, from having spent a career putting old plays on stage," says the 40-year-old Hytner, sitting in the National Theatre canteen prior to a run-through of *The Cripple of Inishmaan*, the Martin McDonagh play that has brought him back to the London theatre for the first time in almost four years.

He says period is "no big deal with me: you just get it right and get on with it". Initially, he says, "there was a bit of discussion, a few things the studio asked about: should it not say 'Salem, 1692' at the beginning? The first draft had a montage of Puritan life—churning butter and ploughing fields—and my opinion was always that the fact that the story takes place in 1692 was of itself uninteresting."

"When was the last time you saw a production of a Shakespeare play which had a big sign saying 'Illyria, 1600? I find too many horses and carriages, too much *Upstairs Downstairs* stuff, rather tiresome. Ultimately, what you do is create a world for a purpose, which is to give the people about whom your movie revolves some kind of concrete existence."



Nicholas Hytner rehearsing *The Crucible*: "I've not met the dumb, venal, vulgar Hollywood; for once, they wanted to treat a great literary icon with some respect"

*King George*, Hytner's filmmaking baptism, was an independently financed picture made for the Samuel Goldwyn Company. By contrast, *The Crucible* was a fully fledged Hollywood venture, a \$25 million investment by Twentieth Century Fox boasting a pedigree writer rather more revered in Britain than he is in his native country, and two bankable stars in Daniel Day-Lewis and Winona Ryder.

Did the pressures increase to match the budget? "Not at all," says Hytner. *The Crucible* was never "the studio experience you're led to expect. For once, Hollywood wanted to treat a great literary icon with some kind of respect while at the

same time making an exciting movie; they didn't want to adulterate it."

"I think America is done a disservice by the entire English serious press: it's absolutely unbelievable. I've not met the dumb, venal, vulgar Hollywood; why would I? It has no interest in me at all. I don't want to spend \$100 million. The interesting thing about Hollywood is that hiding behind every bush is an intelligent, cultivated, sensitive, educated executive who can't really admit to it."

Fox, Hytner reports, had made "a deliberate decision to make films with a relatively modest budget in studio terms, and Arthur [Miller] could not have been more eager to

get it to work". Miller had watched his *Crucible* screenplay languish on a shelf for five years failing to attract interest. "Arthur thinks it was largely because people were terrified of the language," says Hytner, "which I have to say never occurred to me; plainly it's not a handicap. If you come from the theatre, you know that language of that poetic force is an asset in the hands of the right actors."

"One's fear was that Arthur might want a beautifully filmed version of the play, which could not be further from what he wanted at all. He was waiting to settle down with a director as soon as one committed to it, in order to rip the screenplay to bits and put it back

together as a movie, which he did." For six months, Miller sat in a hut at the foot of his Connecticut garden, folding Hytner's suggestions into his script. "He could not have been more excited by the whole idea of treating the witch-hunt panic as a physical virus—pushing the camera, pulling it. The energy of a camera moving, the idea that you can leave out so much information because the cut has that in it: Arthur was mightily turned on by that."

Looking ahead, Hytner next directs two scripts by American dramatists: *The First*, to begin filming in New York in May with Winona Ryder in the lead, is adapted by Hytner's friend Wendy

Wasserstein (*The Heidi Chronicles*) from Stephen McCauley's novel *The Object of My Affection*. After that comes Martin Sherman's version of *The Dybbuk*, set in Atlantic City in the 1950s.

"I'm going to go on doing plays," says Hytner, who has already started discussing an off-Broadway transfer of *Cripple of Inishmaan*. But, he adds, "I'm just loving making movies, and it is tremendously exciting. You get a huge buzz, and you feel more creative. As a director, you feel that what you eventually put before an audience contains more of you."

● *The Crucible* opens in Britain on Feb 21; *The Cripple of Inishmaan* continues in repertory at the National Theatre

THE TIMES

# TOMORROW

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How Terry Sarrell gave the colony its most striking new building

# FOOTBALL

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CHANGING TIMES

THEATRE: Absorbing study of urban decay; plus an unconvincing *Earnest*

## Angels with dirty faces

YOU may feel that the number of young beggars on our streets is enough to make the angels weep. Alex Merikides goes further in the odd, absorbing playlet he has written for Omphale Theatre. He brings to London a blue-winged, blue-haired angel and transforms him from a confident loudmouth into a shattered wreck who swigs cider and mouths nonsense from a stolen sleeping-bag. Watching the homeless has driven him mad, or so it is implied.

The homeless are represented by two street-kids with vaguely obscene names and undeniably repellent looks: a bald scraped skull for Daron Orant, matted, stringy hair for Sabina Netherclift, filthy faces for both. Their days consist of crawling from a shared sleeping-bag and shoving their palms at passers-by with grunts of "change". They are confused, inarticulate, violent. When he takes an undue proportion of the food supply—here, a mummified bird he thinks is a

### One Last Surviving Lyric Studio, Hammersmith

rat—she beats him up. Imagine a blend of one of Beckett's late plays and a low-life mime show, and you have the feel that Merikides and her director, Annie Siddons, seem to want. Their lack of sentimentality is admirable and, I believe, strengthens their case. If you wish to draw attention to the disintegration of urban decency and the waste of young lives, it is best to admit at once that we are talking less of attractive people in trouble than of people rendered unattractive by the neglect they have suffered. However, I was less taken with the whimsy that occasionally intrudes into the plot.

Such as it is, this consists of representatives of the city—a flasher, a nerdish joker, a crazed evangelist—waylay-



Matt Abley and Sabine Netherclift in "a blend of one of Beckett's late plays and a low-life mime show"

ing but failing to help our beggars. Finally, a "Lady" gives them choice, whereupon they break into her flat, strip off a hundred layers of foul clothing, and seem to expect a welcome from her when she returns home. It is as if Peter Pan were playing house; and it seems a lot less true than the moment when the scream of police sirens sends them scampering for shelter like terrified cockroaches.

There is no analysis of how or why these two became what they are. Instead, Emma Pask's unnamed Lady is confronted, as people often are in London, with unexplained poverty and racism, as people sometimes do, with garbled attempts to rationalise her own inaction. Whatever the caveats, this is a piece for today and, I fear, tomorrow too.

BENEDICT NIGHTINGALE

## Handbagged to a halt by the dowager

The Importance of Being Earnest  
Abbey, Dublin

inaudibly when it comes to making the inquiry: "A handbag?"

Like much of the production, Linehan never found a convincing line of interpretation and, like the production, had nothing near the strength to do without such architecture.

Wilde may have sown the seeds of lovely comic turns in the older characters here, but of the Prism, Bracknell and Chasuble grouping, only Harry Towse as the latter displayed the development of any strategy to amuse. He enters eyebrows first, blinking nervously and proceeds to pitch the canon in a glorious

key, somewhere between dither and religiously circumscribed lunacy.

Of the younger crew, Dawn Bradfield gave Cecily a shrewd airhead styling, but Alison McKenna as her comrade in adversity, Gwendolen, apparently attempting to do without charm or spine, gave little impression of understanding why her lines might be funny. Scenes between the two were, consequently, bleached of comic vitality.

As their admirers, Darragh Kelly (Algernon) and Frank McCusker (Earnest) never looked well cast, which perhaps accounted for the discomfort with which they seemed to be working.

When the production finally began to use the thrusting stage, late in the third act, Mason at last started to impose himself, putting the text through a bizarre chain of parodies and pastiches, using his actors for airy choral work, before suddenly cutting into the stagiest of self-righteous Victorian melodramas.

Somewhere here, hidden in Mason's approach to the play's closing movements, in his belief in the playwright's elaborate confidence with genre, there might yet lie a fascinatingly affectionate way to dislike *Earnest*.

LUKE CLANCY





## ■ VISUAL ART 1

Gary Hume shows the remarkable changes in his range and style over the past four years



## ■ VISUAL ART 2

... and Fiona Rae demonstrates her vibrant virtuosity, in a brilliant exhibition at the Saatchi Gallery

THE TIMES  
ARTS

## ■ VISUAL ART 3

Frank Auerbach displays his undiminished powers in a show at Marlborough Fine Art



## ■ MUSIC

A Polish master revisited: Lutoslawski's music is served up in bulk at the Barbican

Richard Cork on a Saatchi Gallery showcase for the flamboyant paintings of Gary Hume and Fiona Rae

# Teasing and pleasing in full colour

When Gary Hume was included in the last Turner Prize exhibition, the array of his recent paintings did not even hint at the convulsive change he underwent four years ago. But now, at the Saatchi Gallery, the dramatic extent of that transformation is exposed in the very first room.

On one wall a large untitled image from 1991 is restricted to a severe arrangement of circles and ovals. It looks at first like an abstraction of the most zealous kind. Then its resemblance to a pair of swing doors becomes apparent. What started out as a purist exercise in geometrical form turns into a faithful, life-size evocation of a clinical hospital interior.

All the same, it still seems stern compared with Hume's other picture in the room. Painted only two years later, *Jealousy and Passion* lives up to its shameless title by revelling in sexy swagger. A flamboyant yellow figure dominates, flaunting an ample physique. The face is featureless, apart from a grinning woman's mouth cut from a photograph and projecting from the surface on a piece of cardboard. Glistening with lipstick, it recalls the brazen heyday of Pop Art.

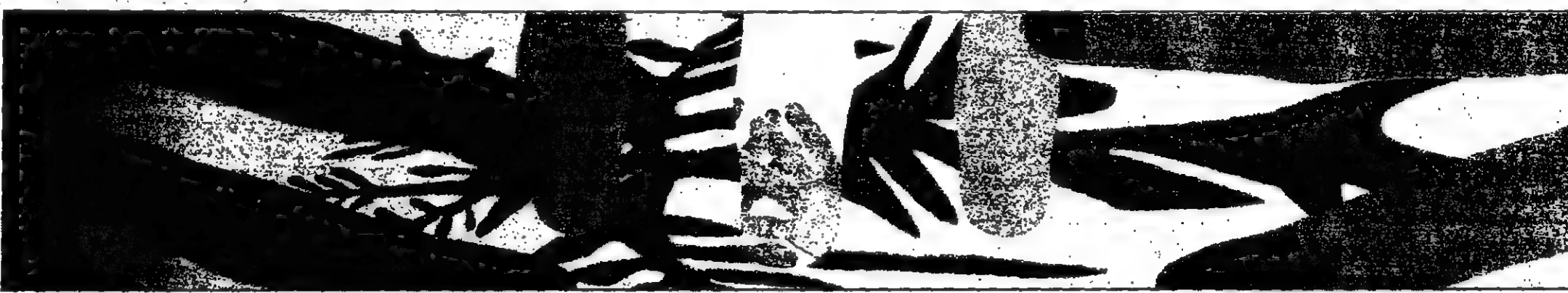
But Hume introduces a disconcerting note by slicing the head off at one side and adding a darker form. Abutting a green flower, it appears sulkily envious of the figure's exuberance. So we are left with ambiguity, not knowing the gender of this strutting poseur whose right hand rests on a flower crimson with rampant desire.

Charles Saatchi's enthusiasm for Hume's art means that both phases of his work are handily represented. They prove that the pre-1993 period is more various than its obsession with doors might suggest. Early on, when he had only just graduated from Goldsmiths, Hume restricted *Four Subtle Doors* to a single, discreet hue. The shapes within each unit are barely detectable except as incised contours, and Hume's use of glossy paint adds to the perpetual confusion, presenting us with reflections of our own peering faces.

But in *Four Doors I* his love of colour is spectacularly unleashed. Purple is juxtaposed with scarlet on cream, highlighting the circles and rectangles as if they were eyes, noses and mouths. Hume's later fascination with figures is already hinted at here. Even so, an immense, three-panel picture called *Stop* returns to sobriety. Limited in range to black, four shades of grey and a single off-white, the painting is dark and forbidding. At the same time, *Stop* possesses a stripped, monumental grandeur. It proves that Hume could find awesome



Above, Fiona Rae's characteristically exuberant *Untitled (blue and purple)*, 1994. Below, Gary Hume revealing a "Matisse-like love of burgeoning foliage" in his 1995 painting, *My Aunt and I Agree*



digit in the most banal and repetitive of everyday subjects.

Soon after painting a still more imposing door-picture, *My Guernica*, in 1992, he decided to break free. The doors had to be pushed open. Hume needed to explore the world beyond these claustrophobic interiors. So *Jealousy and Passion* prances onto his stage, and subsequent pictures roam with promiscuous delight from three-leaf clovers to Tony Blackburn.

In visual terms, a dangerous love of gaudy decorative embellishment is mercifully countered by a continual urge to refine and simplify. The abstract rigour of Hume's early work is still evident, and it usually prevents him from wallowing in an over-pretty involvement with flowers and leaves. But he is not afraid

to indulge in a Matisse-like love of burgeoning foliage, most openly in a wide-screen epic of a painting called *My Aunt and I Agree*. The elongated fingers stretching across this immense panel are half tender, half predatory. Hume relishes duality, finding unexpected fear in the eyes gazing out of an otherwise lyrical Garden Painting.

He likes to tease the viewer, nowhere more disturbingly than in *Begging For It*. The slender, gloved arm silhouetted in the foreground might be raised in prayer, supplication or erotic hunger. Hume makes sure that the pale blue figure beyond is so hazy that her true feelings are unknowable. But I found myself returning to this understated, beautifully judged image again and again.

Fiona Rae, who graduated from Goldsmiths' only a year before Hume, shares the Saatchi show with him. Her debut was just as confident, appearing like Hume in the landmark *Freeze* exhibition organised by fellow student Damien Hirst in 1988. Since then, however, she has not changed as startlingly. Abstraction is still her language, and she deploys it with irresistible gusto.

Early on, she left generous expanses of her canvas bare while indulging in a dizzy range of mark-making. Hints of objects as mundane as a suitcase, a walking-stick or a toy dog can perhaps be found in a 1989 painting. But Rae makes their identities uncertain by brusquely cutting them off, or invading them with impetuous

rushes of pigment. Headlong improvisation, performed with all the exhilaration of a freewheeling jazz musician, is her forte.

Everything, in her chronically restless art, is in a state of flux. Nothing is permitted to settle. But instead of inducing excessive anxiety, Rae juggles all her elements with such brio that she leaves us feeling elated. To look at one of her best paintings is to be caught up in a high-risk performance. We sense her nervousness, wondering how such visual anarchy could ever achieve an unlikely coherence. And yet, against all the odds, she succeeds in pulling back from hopeless confusion.

As her work proceeds pell-mell through the 1990s, Rae makes the paintings even more complex than

before. She introduces blocks of geometric form, playing them off against the wilder marks that still seem to have been shot onto the canvas from a scatter-gun. The areas of bare canvas disappear.

Sometimes it appears too dense, and I found myself longing for the greater airiness of her earlier work. She can seem almost frantic in her desire to court total bewilderment. But then, just as I felt sated by her relentless bombardment, Rae persuaded me to go on looking.

She is a virtuoso manipulator of oil paint, adept at retaining order even when her pictures seem choked with incident. In some 1995 images the pigment is splattered, dragged, flung and prodded with outrageous abandon. All this impulsive activity is, however, given

unexpected unity by titanic circles outlined in white. Although their contours are delicately defined, they manage to impose a reassuring sense of discipline.

But Rae is far too immersed in an exploration of flux to give her work too much stability. The 1996 paintings do, admittedly, contain more circles than before. Any solidity they may possess is, however, challenged by the grey masses of apigated paint alongside. As blurred and impossible to identify as interference on a television screen, they pose an incessant threat. For all her infectious high spirits, Rae seems in these ominously swarming pictures more aware of disintegration than ever.

● Fiona Rae and Gary Hume: Saatchi Gallery (071-424 8299) until April 6

A guide to the best available recordings, presented in conjunction with Radio 3

SHOSTAKOVICH'S  
FIFTH SYMPHONY

Reviewed by Michael Oliver

THERE are no fewer than 42 currently available recordings of Shostakovich's Fifth Symphony, which must make it the most popular symphony since Sibelius.

From being regarded as Shostakovich's capitulation to the demands of the Soviet regime for "socialist realism" (a Moscow newspaper of the time dubbed it "a Soviet artist's creative reply to justified criticism"), and Shostakovich was too prudent to deny it, it has become far more generally recognised as a bitter tragedy. The symphony has quite literally grown as that assessment has become more general: a work which, in its early recordings, generally played for 45 minutes at the most now takes 50 minutes or more.

Since the manuscript has vanished and the conductor of the first performance in 1937, Yevgeny Mravinsky, described the tempo markings in the printed score as "incorrect", we cannot describe any performance of it as "authentic" unless it is one of Mravinsky's own. There are no fewer than six of them, most filled with insights and toweringly eloquent, but most also poorly recorded (the best is his last, recorded in 1984—Erato Z92-45752-2), and in all of them his tempos are at times decidedly hasty.

Although there are numerous poorly recorded accounts of the symphony, and others



played by orchestras that cannot manage the sheer weight of string tone that it demands, there are few downright bad performances among the 42. The best are those that make satisfying sense of Shostakovich's ambiguous but obviously carefully planned tempo relationships.

Among the very finest are distinguished readings by Neeme Järvi (Chandos), Bernard Haitink (Decca), Leonard Bernstein (Sony), the composer's son Maxim Shostakovich (Collins Classics), and Vladimir Ashkenazy (Decca). But two at bargain price also stand out: a splendid recent account by Sir Charles Mackerras and the Royal Philharmonic Orchestra (Tring TRP032), and a much older one (1965) by André Previn and the London Symphony Orchestra (RCA 74321 24212 2, £4.49). This was the first recording of the symphony to approach 50 minutes in timing, and throughout it has the quality of a still young conductor discovering the sheer stature of a tragic masterpiece and communicating that discovery with an eloquence all the more profound for its sobriety.

● To order the recommended recording, with free delivery, please send a cheque payable to The Times Music Shop to FREEPOST, SC0681, Forres, IV36 0BR or phone 0345 023 498; e-mail: music@the-times.co.uk  
● Next Saturday on Radio 3 (9am): Couperin's *Leçons*

## AROUND THE GALLERIES

in that the load of pigment on the canvas continues to lighten, and the colours become ever less funeral. But the essential vision and the artist's way of embodying it remain almost obsessively consistent.

Does that matter? Not in this case. The effect of the show is to establish the moment one walks in that this is a brilliantly individual artist at the peak of his powers. Auerbach may still be producing variations on a familiar theme, but each time he returns to it he finds new resonances.

Marlborough Fine Art, 6 Albermarle Street, W1 (071-620 5161) Mon-Fri 10am-5.30pm, Sat 10am-12.30pm, to Feb 15.

□ Sandra Bank has virtually nothing in common with Auerbach except an interest in palimpsest. A theme will be taken up, then partially erased, scumbled, or roughly painted over and another version imposed. Sometimes the same figure will be reiterated. Sometimes another is painted on top, so that the first will linger like one of Blake's psychic forms, peering through or about to burst forth from whatever follows. Sometimes the canvas may be turned on its side, so that the visible shapes seem to collide or veer off at right-angles from one another.

In Bank's new show at Harriet Green the figures are

entirely human, most frequently female, but sometimes male and sometimes intriguingly ambiguous. There are, for example, some variations on the theme of *The Three Graces*, à la Canova, except that the central figure, with its back to the spectator, appears to be male and one of the canvases is teasingly entitled *Ménage à Trois*. All of them keep one guessing, even as one appreciates the richness with which the muted palette of earth and sea tones is deployed.

Harriet Green Gallery, 5 Silver Place, Lexington Street, W1 (071-287 8328) Tues-Fri 11am-5pm, Sat 11am-5pm, until Feb 1.

JOHN RUSSELL TAYLOR

## MUSIC: John Allison on the Barbican's extensive Lutoslawski festival

The importance of Witold Lutoslawski, Poland's greatest post-war composer, has never been in doubt. Since his death almost three years ago his music has lived on in regular performances, but there had been no stock-taking retrospectives of his work until the BBC devoted its latest annual composer weekend to him. The essence of Lutoslawski is not easily distilled; this needed to be a comprehensive series and, thanks to the Guildhall School of Music and Drama's own complementary festival last week, it was. Between Tuesday and Sunday London heard the bulk of his output, supplemented by lectures, an exhibition and two films, with Lutoslawski scores.

Breaking *Chains*, as the Barbican festivities were called, renewed admiration for the composer but did not make him any easier to sum up: he cannot be "classified" into a corner of musical

## Unchained melodies

history. He survived the Nazis and Stalin to become a moral force in modern music, unwavering in his determination to write as he wished. He drew only what he liked from serialism and aleatoric forms to fashion an elegant, expressive voice that always renewed itself.

Lutoslawski clearly broke the chains of political and musical tyranny, but the *Chains* that lent their title to the series were three works from the last period of his life. *Chain III*, which opened Friday's BBC Symphony Orchestra concert under Andrew Davis, is literally a chain of contrasting thematic and timbral ideas which break off abruptly. *Chain II*, given here as the composer

which Wigglesworth moulded compellingly, evokes almost Mahlerian struggles, though it is short. Here and in the Piano Concerto one marvelled at Lutoslawski's orchestration and the clarity of his textures.

In each of his compositional phases Lutoslawski was always a master craftsman. Even the "manufactured" serialism of the *Fanfare* Music is deeply felt, though its monochromatic images could not be further from the witty tone-painting of the song-cycle *Chantefleurs et Chantefables*, which the soprano Valérie Anderson sang with a sense of fun.

The Concerto for Orchestra received a powerful, surging performance from Davis and the BBCSO, but above all it was the late-night concert of his *Twenty Polish Christmas Carols*, with Stephen Jackson conducting the BBCSO, Chorus and glinting soprano Claron McFadden, that really took us back to the composer's roots.

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CHANGING TIMES







## LAW

● ON DEATH ROW 41  
● THE NORTH WEST 45

Badly drafted legislation has reduced the number of transplant donors by failing to resolve some key issues, says Siobhan Deehan

## The great organ shortage

The announcement last week by Stephen Dorrell, the Health Secretary, that the transplantation of animal organs into human patients (xenotransplantation) is to be banned is a severe blow to many patients awaiting transplants in this country. Use of the pioneering techniques has been delayed until more is known about the dangers of such transplants and until legislation is introduced to regulate the practice.

Interest in developing genetically modified animal organs highlights the dilemma facing transplant surgeons — the chronic shortage of human organs. Despite public education exercises and the high survival rate and relatively low cost of transplantation, the number of transplants performed falls short of the 6,000 patients awaiting new organs.

This shortage can be traced to several factors. Improved medical techniques have resulted in a demand for organs that has far outstripped the NHS's ability to co-ordinate or finance transplants. Attempts to increase donation of organs after death have been thwarted

by concerns about the removal of organs without consent or before death, and about interfering with death itself.

The supply of human organs has also been hindered by poorly drafted, outdated and restrictive legislation. The law governing organ transplantation is defined in the Human Tissue Act, 1961, regulating the use of cadaver organs, and the Human Organ Transplantation Act, 1989, dealing with live organ transplants. About 90 per cent of organs transplanted are taken from cadavers. The Human Tissue Act created a "contracting-in" system, whereby under Section 1 (f) an individual can request the donation of his organs after death for the purposes of therapy, education or research. Donation is achieved by executing a written request or by making an oral request in the presence of two witnesses. Under Section 1 (f) of the Act, if

no request for donation exists, "the person lawfully in possession of the body" may authorise the use of organs for transplantation only after making "reasonable inquiries" that neither the deceased nor surviving relatives have any objection.

The 1961 Act has failed to resolve key issues. First, it is unclear whether donor cards satisfy the Act's requirement for donation to be requested in an "authorised form". Secondly, the Act does not make clear who is "lawfully in possession of the body", and fails to define essential terms, such as "surviving relatives" or "reasonable inquiries".

Neither does the 1961 Act define the moment at which death occurs. Confusion and fear about the diagnosis of death remain an impediment to the voluntary donation of organs. Studies suggest that about 30 per cent of families

asked about donation refuse to permit it. Combined with doctors' reluctance to intrude at the scene of death, such refusals contribute to the scarcity of organs.

The use of living donors is governed by the 1989 Act, which prohibits commercial dealings in organs, makes an offence of advertisements inviting persons to offer or supply organs for payment and criminalises the removal of organs from unrelated living persons without the approval of the Unrelated Live Transplant Regulatory Authority. The Act was intended to preserve individual autonomy and to protect the vulnerable.

But the Act seems confused. First, it is unclear why unrelated donations require approval while related donations (possibly influenced by emotional coercion) are accepted without scrutiny. Secondly, in concentrating on genetic

relations, the Act fails to consider possible donations by spouses and co-habitees. More critically, by criminalising certain forms of donation, the Act has increased public aversion to donation and exacerbated the organ scarcity.

Initiatives to improve the voluntary donation of organs under the 1961 and 1989 Acts have failed to provide enough organs. The impact of donor cards, introduced in 1971, has been limited to their equivocal status under the 1961 Act, by public reluctance to carry cards, and by the ability of surviving relatives to override the deceased's wishes. More recent attempts to improve the supply of organs have met the same fate as xenotransplantation. Some surgeons have advocated paying live donors for their organs, but public, parliamentary and medical opinion

appears to be opposed to a trade in human organs.

One simple way to improve the organ supply is to introduce a "contracting-out" scheme of the kind used in many European countries. This would authorise the surgical removal of organs automatically unless the deceased had registered an objection before death or before the relatives objected to donation. In Belgium, where such a scheme was introduced in 1987, only 1.5 per cent of the population objected and the number of donors and transplants doubled.

Though recent opinion polls demonstrate growing parliamentary and public support for such a scheme, the medical profession and the Health Secretary are sceptical. However, if medical opposition could be overcome, contracting-out would ensure an adequate supply of organs and remove the risk of transmitting potentially dangerous viruses from animals to human beings.

● The author is a solicitor and Senior Lecturer in Law at Manchester Metropolitan University.

## Fighting the cynics

Lawyers will never be popular, the new Bar Chairman tells Frances Gibb. But they can answer their critics

Today Robert Owen, QC, has cause for some celebration. Jack Straw, Shadow Home Secretary, may have pinched all the headlines last week over the need for curbs on police bugging powers. But Mr Owen and the Bar were opposing the Police Bill's surveillance proposals from the start. The new Bar Chairman is quietly spoken, not given to grandiose rhetoric or dramatic posturing. The Bill, he says, poses a "grave threat to the rights of innocent citizens".

The Bar's relationship with new Labour, described as "cool", seems to have paid off. With the help of most of Fleet Street, the Bar, along with groups such as Liberty and Justice for All, has won the crucial safeguard that the new surveillance powers will be subject to prior judicial scrutiny.

It was the first test for his leadership of the 8,000-strong practising Bar, a post he took on at the start of the year. Other battles loom over government proposals to fix fees for barristers' civil legal aid work, for instance, which Mr Owen has pledged to fight "tooth and nail". This is now a Bar Chairman's task, much of his work is shaped by outside events, more so than ever in a general election year.

"To some extent," he says, "we are setting the agenda for ourselves for this year, but I suspect it will be set to a very considerable degree by the new government, of whatever complexion."

The role is radically changed from that of 15 years ago. It is more political — both publicly and behind the scenes, with adept use of lobbying tactics. But Mr Owen is not an overtly political Chairman, either in terms of Bar politics or on the wider front, although he backs Tony Blair. "Point one," Mr Owen explains, "is that I am not

afflicted by the political disease of 'initialism'. In other words, I am wary of initiatives that have every appearance of hectic activity but actually yield nothing at all. The problems facing the Bar require long-term solutions. There are no easy answers."

Those problems are not new. Mr Owen, 52 — who was deputy chairman last year — has taken on the baton from Peter Goldsmith, QC, and will see into effect a series of measures whose progress is under way. Top of the list is the new complaints machinery, to come into force in April. For the first time, the public can complain about shoddy work by a barrister and obtain

loss that is recoverable at law."

Another key area is education and training. Mr Owen will see into effect improved training (pupillage) for young barristers to ensure consistency. A working party is also looking at funding problems for young barristers because "it has to be a matter of concern that students are carrying an increasing burden of debt into practice."

The Owen view is that chambers must be persuaded — not forced — to provide adequate funding for trainees. "The use of force would decrease the number of pupillage places that are available," he says. "Chambers must have a degree of autonomy."

monopoly of the Inns of Court School of Law. At the same time, Mr Owen is launching an Advocacy Studies Board under Lord Justice Kennedy to promote training in advocacy and raise standards. He has been working on improving training at the Bar. In his practice — countering professional negligence and medical negligence — he has often had to deal with the consequences of poor standards. He is at present involved in human growth hormone litigation.

A common law barrister, he also does some criminal work (and is a strong supporter of the cab-rank rule); recent briefs include being retained as a prosecutor in the Asil Nadir case (until Nadir fled to Northern Cyprus) and representing Nuclear Electric in the Wylfa Power Station dispute in Anglesey.

Stable and a bit of a smoothie, the new Bar Chairman is nonetheless not of the traditional Oxbridge mould. He went to Durham School and Exeter University, and now lives in Barnes, west London, with his wife, an abstract painter. They have two grown sons. His roots are in Wales — his father was Welsh-speaking — and he is on London Welsh Rugby Club's committee. Sailing is also a passion and he has a second home at Fowey in Cornwall.

Unlike some of his predecessors, Mr Owen does not come to his new post with a ready-made profile or set of press cuttings. Outside the Bar, he is not much known. But within, he is regarded for his quiet firmness ("he gets things done") underpinned by strong moral values about the place of the Bar in society. He says: "I see the Bar Council as the custodian of the profession's

fundamental values — independence, professional integrity — which we safeguard essentially through education and training."

He would like to see a changed public image for the Bar. Most barristers do not earn high levels of fees, and legal aid fees, in particular current proposals for fixed fees will, he says, "have serious adverse effects on the public". He adds: "Lawyers have never been popular and I suspect they never will be. But that does not mean we should not be concerned to explain to the public at large all that we do."

That is the best response to cynics who perpetually snipe at lawyers and who find it difficult to understand how anybody can act other than in naked self-interest.



Robert Owen: "To some extent, we are setting the agenda for ourselves for this year, but I suspect it will be set to a large degree by the new government, of whatever complexion"

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## Howard at war

THIS WEEK the Police Bill — next the Crime (Sentences) Bill, Michael Howard is taking on the legal establishment almost single-handed — with the chief constables. The battleground in both cases is the House of Lords, where the Lord Chief Justice, Lord Bingham of Cornhill, is joining Tony Blair to try to force the Home Secretary's hand.

Last week Lord Carlisle of Bucklow, QC, the Criminal Injuries Compensation Board chairman, previewed the next fight over sentencing. In a lecture at the University of Hertfordshire, he attacked plans for minimum and mandatory sentences as "unnecessary" and "ill-thought through", saying they would lead to injustice.

The prison population would also rise "at something in excess of 4,000" as a result, leading to tension in jails, without protecting the public.

## Hacked off

BEFORE an invited audience of three government ministers, three Hackney council workers tried and failed last week to prove how easy it is to kick in a door on a prewar housing estate.

The old door resisted their



Cover of The Caterpillar

## Bugged

MARTIN MEARS, last year's Law Society President, is clearly not going away. With Robert Sayer, his former deputy and a handful of "active supporters on the Law Society's council", he has launched The Caterpillar.

The magazine is intended to spill the beans about the Society and to "behave like an opposition", particularly because Mr Mears plans to fight again this year. That means "unearthing the scandals, ineptitudes and other unpleasantness distasteful to

those in authority". He lifts the lid on Law Society freebies, the truth about the legal aid campaign and other matters.

Mr Mears may have a mission — but journalism is probably his first love. So if it comes to defeat, at least he may have found a new niche.

## Student aid

THE LATE Lord Devlin's autobiography of his early life, *Taken at the Flood* (Scrivener, January 7) may have to run to a second edition.

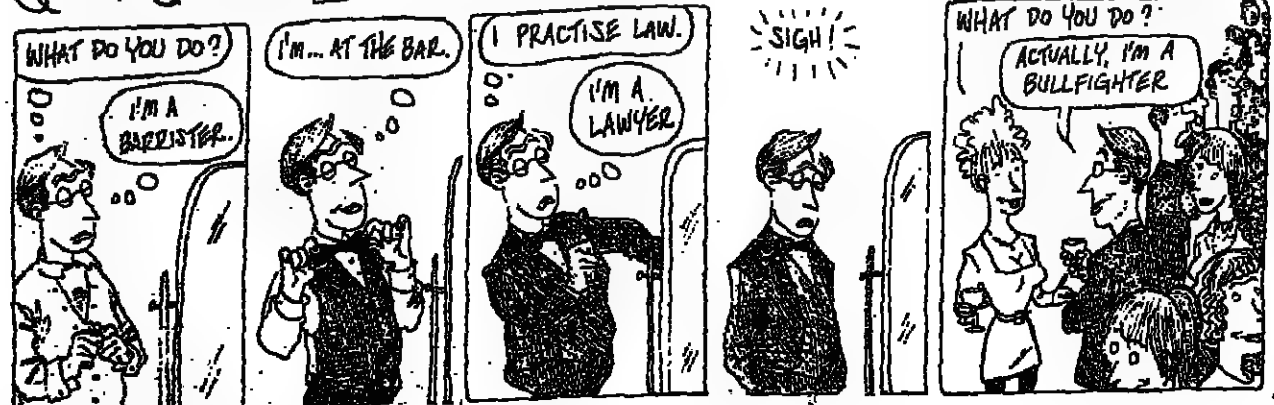
Within a month, the Devlin family has sold about 300 copies of the hardback (£11, plus £1.45 postage a copy). The price is low because the family used Lord Devlin's advance from the only publisher prepared to consider it, who was David Machin, then joint managing director of Bodley Head and now Under-Treasurer at Gray's Inn. No one else envisaged a market for the book.

Details: Tim Devlin, 01580 893176.

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## QUEEN'S COUNSEL



## NEW LAW JOURNAL

Negligence and the field of battle — can there be liability for the wrong decisions made by officers?

Ann Lyon poses the question in this week's NLJ.

Also in this week's issue:

- Neil Horner of Baker & McKenzie explains the trends in training for international law firms
- Student focus — a regular update by Peter Hungerford-Welch of the Inns of Court School of Law
- District Judge Stephen Gold previews the changes to be brought by the Civil Evidence Act
- Ivan Topping on police officers and Freemasonry

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Saul Lehrfreund and Julian Knowles report on a scandal in the sunny Caribbean

# Who can help on death row?

The Privy Council has few supporters in the West Indies these days. It is regularly criticised by Caribbean governments for supposedly being out of touch with social conditions in their countries, a coded way of criticising the number of successful appeals by condemned men.

Those on the left, at the same time as welcoming the Privy Council's decisions, are sensitive to the charge that it is little more than a relic of the era when whites told blacks what to do.

This criticism is starting to crystallise into something more ominous. The Government of Belize has proposed abolishing the right of appeal to the Privy Council in criminal cases, and in several recent appeals Belize has declined to be represented. The Belize Government's proposal does not envisage replacement of the Privy Council by another appellate body, at least not in the short term.

Most of the countries within the Privy Council's jurisdiction have written Constitutions containing protections against inhuman treatment by the State and guaranteeing the rule of law. Article 7 of Belize's Constitution prohibits inhuman or degrading treatment. In December we travelled to Belize to visit inmates on death row and to assist local lawyers with their appeals. The conditions we found the prisoners being kept in clearly breach Article 7, and were the worst either of us had ever seen. Our visit reinforced our view that despite its history and geography the Privy Council remains a vital safeguard for the most basic human rights. If governments and local courts are unwilling to enforce constitutional protections, the Privy Council must enforce them. Its abolition would reduce these constitutional protections to mere rhetoric.

Belize's death row is situated at Hattiesville prison, just outside Belize City. The Government abandoned the old prison at Belize City

in 1993 as a result of severe overcrowding, lack of internal sanitation, and general dilapidation. Though the prison complex at Hattiesville is much larger, it resembles — with cell blocks half-built — a building site. The maximum security unit, which includes death row, is a two-storey rectangular building with adjacent cubicles as cells. Inmates are not protected from the elements because the front of the cells is secured by bars.

The total disregard for humanity and basic human rights at Hattiesville is startling. As we approached the unit along an uneven dirt track, the smell of human excrement and bodies crammed together in the stagnant heat was overpowering. To enter the unit, we had to walk across a plank over a moat of stagnant liquid and excrement in front of the cells, no more than 2ft away. In the unit we found prisoners crammed five or six in cells measuring 9ft by 6ft. Each cell contains one bunk, which we were told by inmates is occupied by the "strongest" inmate. The other men lie down on the concrete floor if there is space, or crouch until there is space to lie.

Each cell has a toilet but none of them seems to work, which means that all the men are required to use a bucket. It is difficult to imagine who suffers the greater indignity — the inmate forced to defecate in front of his companions, or those who have to sit in close proximity.

Prisoners told us that they spend almost 24 hours a day in their cells. There are virtually no educational or recreational facilities and no medical, dental or psychiatric care. We noticed one prisoner on death row in a cell by himself, sitting on the floor with a blanket wrapped around him. When we asked his neighbour who he was, we were told that he had been there for four years, having been found unfit to plead. He was clearly mentally ill, but the only care he was receiving



Testing the rope: Bernard Adolphus, superintendent at Hattiesville

was being provided by other death row prisoners. It was obvious that the authorities had forgotten him.

Though conditions for death row prisoners are less overcrowded, the cruelty of these conditions for them was recently given a refined edge by the erection of new gallows adjacent to the condemned cells. The prisoners will almost certainly be able to hear the gallows being tested and the crash of the trap doors should any of them be executed. Though the prison superintendent told us that lack of money was to blame for the poor conditions, money could obviously be found for new execution apparatus.

Almost the worst aspect of the conditions at Hattiesville is the hopelessness and desperation of the prisoners. We were accompanied on our visit by Simon

Sampson, Senior Counsel, who is legendary among the prisoners for the amount of legal aid and pro bono work he does on their behalf. As we walked toward the unit, the prisoners came to the bars of their cells and began shouting his name in a vain attempt to attract his attention. We were told that few other lawyers bother to visit the prison because they find the conditions so disturbing.

The Belizean Government is fully aware of the appalling Hattiesville conditions but refuses to acknowledge them officially. Last year a report on the prison was produced by Belize's own Education and Rehabilitation Task Force. Its sole conclusion on conditions was that "Conditions in the maximum security unit are noticeably unsanitary and overcrowded".

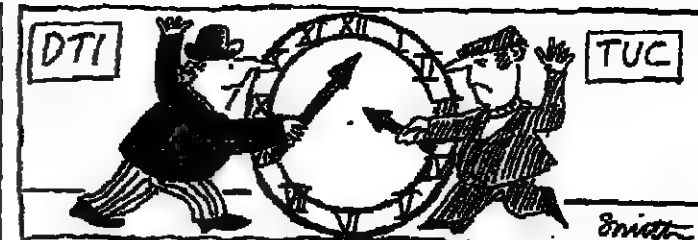
To read the report, it was easy to suppose that the task force had visited a different prison.

Despite the apathy of much of the local Bar, and the indifference of the Government, several death row inmates (represented pro bono by Mr Sampson and Kirk Anderson, his colleague) have challenged their conditions of confinement on the grounds that they violate Article 7 of the Belizean Constitution. The response of the local court to these applications has, however, been lamentable. The Supreme Court of Belize has dismissed these challenges as "trivial and vexatious", despite the fact that the conditions clearly violate several international standards, including the United Nations Standard Minimum Rules for the Treatment of Prisoners and the International Covenant on Civil and Political Rights and the American Convention on Human Rights, as well as Belize's own Prison Rules, which supposedly lay down minimum standards of treatment. It is likely that these cases will be heard by the Privy Council later this year.

At Hattiesville, the prisoners have all but exhausted their domestic remedies. Who, then, is to enforce the constitutional guarantees? It may suit the purposes of the Belizean Government to castigate the Privy Council as a relic of the UK's imperialist past, but these platitudes avoid the real issue. The fact is that Belize is not living up to the impressive affirmation by its people in their Constitution that "the Nation of Belize is founded upon principles which acknowledge the Supremacy of God, faith in human rights and fundamental freedoms... the dignity of the human person and the equal and inalienable rights with which all members of the human family are endowed by the Creator".

This leaves the Privy Council to face up to the reality of the situation and to ensure that these constitutional rights have effective remedies. Ultimately, the enforcement of human rights is more important than who it is that enforces them.

Julian Knowles is a barrister at 3 Raymond Buildings, Gray's Inn. Saul Lehrfreund is a human rights case-worker at Simons Muirhead & Burton, London. Simons Muirhead & Burton provides pro bono representation to more than 30 condemned men in the Caribbean for the purpose of appealing to the Privy Council, as well as to the UN Human Rights Committee and the Inter-American Commission on Human Rights. The project, supported by Penal Reform International, is co-funded by the European Commission and Simons Muirhead & Burton.



## Weekly hours test case looms

EU ruling ignites row over rights at work

There was a big fuss before Christmas when the European Court of Justice ruled against Britain over minimum working hours. This meant that along with all the other member states, Britain became subject to the terms of the Working Time Directive on November 23 last year. But unlike most of its partners, Britain has still not implemented it, a breach which leaves the Government open to claims for damages from workers.

Some unions — such as Unison, the GMB and the MSF — are already considering the legal options open to them on behalf of their members. Richard Arthur, Unison's legal officer, explained that this could be "either an action by the union to force the Government to implement the directive now, or a claim by an individual worker through the courts".

But the Government remains bullish in its approach. A spokeswoman for the Department of Trade and Industry claimed that she did not expect any challenge to succeed, because "the courts will use the test of reasonableness and our response has been perfectly reasonable. We are going to implement the directive; we just need time to consult."

But Stephen Cavalier, head of the employment rights unit at Thompsons, the law firm that specialises in trade unions, says: "This will not work, because they could have been consulting since 1993. As of Saturday [November 23 last year], a public sector worker can bring a claim against his employer. In the private sector, a claim can be brought against the Government."

Brian Bercusson, Professor of Law at the University of Manchester, explains: "This is because directives have a direct effect on those working for the State or emanations of the State, such as private utility companies." And the Working Time Directive contains a number of provisions which fit that bill: such as the right to four weeks paid holiday, a maximum working week, minimum daily and weekly rest periods, a break during the working day and restrictions on night work.

Conversely, an individual in the private sector has to bring a claim against the Government, not his employer. Known as a Francovich claim, it means that if a directive is not properly implemented, anyone who has suffered damages can sue the Government if their individual rights have been violated.

Mr Bercusson reckons that this failure could have immediate implications. "In the public sector, any contract which requires an employee to work more than 48 hours on average is now unlawful and therefore that employee can sue for damages, if penalised by the employer," he says.

In the private sector, workers would have to wait for the damage to be caused, but this could include financial damage where the employer refuses to promote someone who will not work more than 48 hours. That would open the way to a claim for damages.

Another recent case decided by the European Court of Justice gives workers the right to sue for compensation for damages if a member state fails to implement a directive on time. So however bullish the Government's approach, this decision should set off some alarm bells because it has made itself liable.

The question which remains unanswered is why the Government has gone to such lengths to resist implementing what one of its own ministers once called a toothless piece of legislation. Perhaps Mr Arthur is right to accuse the Government of "playing politics with people's jobs".

ALISON CLARKE

• The author is legal officer with the Manufacturing Science Finance Union.

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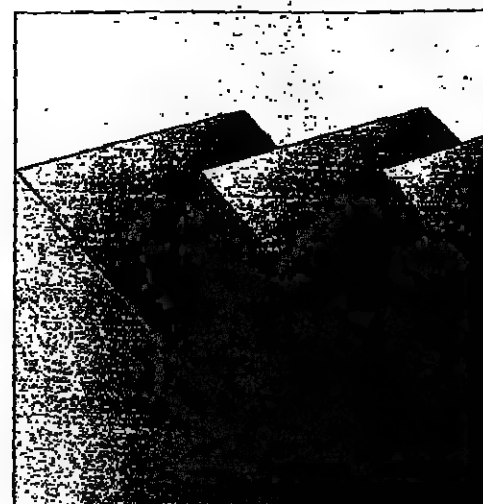
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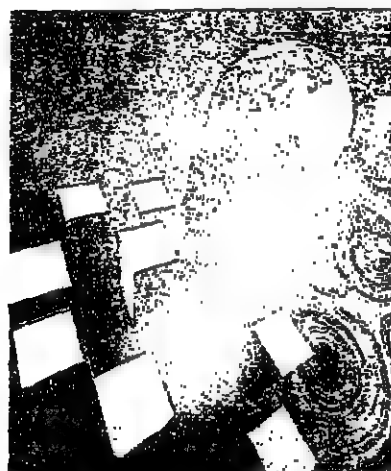


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Applications by CV and covering letter to The Personnel Officer (LA), The Royal British Legion, 40 Pall Mall, London, SW1Y 6JY by 14 February 1997. As a charity, no acknowledgment will be sent unless an a.s.a. is enclosed.

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# Manchester wins battle for the North West

Edward Fennell on the mergers that demonstrate Mancunian dominance over Liverpool's legal community

It was a tale of mixed fortunes from the North West last week. While Liverpool reeled at the announcement from Halewood, most of Manchester rejoiced at the good news about the airport expansion.

For the lawyers in the region it was the final evidence, if any more were required, that Manchester is now the dominant force in the region. There is now a belief that the Manchester scene has regrouped after surviving last year's bombing, and could start to challenge Leeds as the legal capital of the North.

But do recent developments make such references look dated? Can we still talk of major North West law firms or are they actually bigger than that? The big news stories on the local legal scene are all about mergers and rumours of mergers.

In particular, the absorption last year of Allsop Wilkinson into Dibb Lupton Broomhead to form Dibb Lupton Allsop was of national significance. It meant that Dibb was now firmly established in Manchester and Liverpool and that

it now has the largest operation in the North West.

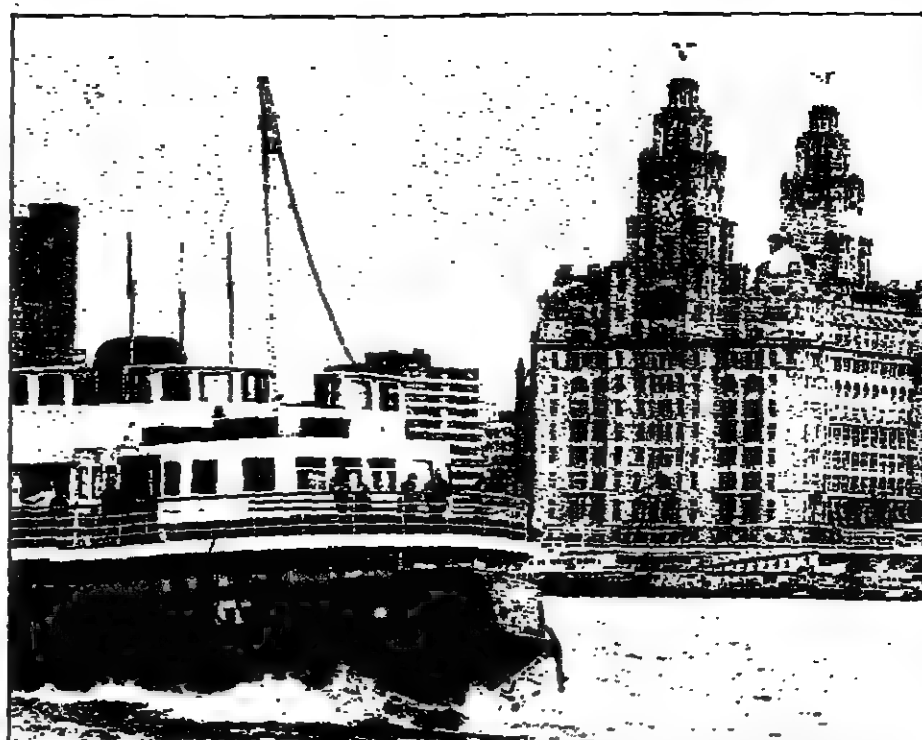
But as Paul Nichols, the regional managing partner, explained last week (in the middle of moving house so as to be midway between Liverpool and Manchester): his colleagues have only partly a regional allegiance. All of them are members of specialist groups organised nationally, which may take precedence over any regional link.

Hence a lawyer in Manchester or Liverpool could quite possibly be working for a client in Sheffield or a transaction managed from Birmingham. Through technology it does not matter where you work, but how good you are at your job. This is illustrated even more forcibly by the merger of Leeds-based Booth & Co and Manchester's Addleshaw Sons & Latham, which takes effect on February 1.

The new firm — to be called Addleshaw, Booth & Co — is promoting itself as being "the firm of the North" and, in many ways, the traditional barriers between Yorkshire and Lancashire are being eroded. As in most current



The Town Hall in Manchester, a city with an expanding legal community. At Liverpool, above, the legal scene changes little



thriving Manchester practices and comment that the city is now regarded by many young professionals as an attractive place to live and work in.

Liverpool, by contrast, seems to be marking time. The legal scene changes little. Recruitment is more by word of mouth and personal recommendation than by public advertisement and its quality work is concentrated into a couple of fields — shipping and insurance.

There was depression among Liverpool lawyers last week on the news from Ford. It seemed like a kick in the teeth to an area which has been trying to improve its image and so a well-established firm like Weightmans, which specialises in insurance litigation, was having to console itself by emphasising its wider work.

Michael Ball, a partner, said: "We have clients from Scotland down to the South Coast and we find that in many ways Liverpool is still a good place to be a lawyer. The overheads are low and it is fairly easy to travel from here to other parts of the country."

Even so, according to Graham Manley of Quarry Dougal, few young lawyers wish to work in Liverpool unless they have a specific link with the city through either family or university, and this is likely to inhibit the ability of firms to attract bright talent. After last week, Manchester now reigns triumphant.

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**PRIVATE CLIENT** To £36,000  
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For further information, in complete confidence, please contact Seamus Hoar, Jonathan Morrison or Emma Cowell (all qualified lawyers) on 0171-405 6062 (0171-403 3727 or 0171-226 4292 evenings/weekends) or write to them at Quarry Dougal Recruitment, 37-41 Bedford Row, London WC1R 4EJ. Confidential fax 0171-831 6394. E-mail: seamus@quarrydougal.co.uk (not needed)



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**EC/COMPETITION** Brussels To £58,000  
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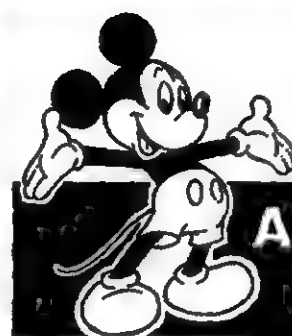
**FINANCE** To £75,000  
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**COMMERCIAL PROPERTY** To £60,000  
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**CORPORATE TAX** To £60,000  
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**CAPITAL MARKETS** To £65,000  
This top 10 City firm offers more than endless bond issues and will involve you - a lawyer with 0-3 years' ppe - in a wide range of matters, such as securitisation. If 2-4 years' qualified, you should have relevant City experience. If less, then experience in banking or corporate finance and an interest in this area is essential. Ref: T12975

**PENSIONS** To £55,000  
This top 20 City firm is constantly in the news at the moment, as it is constantly involved in the top deals. This means that a pensions lawyer with 3-5 years' ppe will get to work at the cutting-edge of corporate work, making it the perfect time to join. For this firm and this lawyer, the only way is up. Ref: T36175



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Due to this increased expansion within its TV and broadcasting markets, Disney seeks two lawyers to work in its international television business in London:

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- Commercial arrangements between content providers and broadcasters
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The rewards, both professional and financial, will be outstanding.



For further information in complete confidence, please contact Jane Mesleir or Gareth Quarry on 0171-405 6062 (0181-442 0841 evenings/weekends) or write to them at Quarry Dougal Commerce and Industry Recruitment, 37-41 Bedford Row, London WC1R 4EJ. Confidential fax 0171-831 6394. Quarry Dougal Commerce and Industry Recruitment is handling this assignment on an exclusive basis and all direct and third party applications will be forwarded to them.

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An association requires a trained solicitor or business consultant with a legal degree, to manage standards, advise on legal aspects and training. Ability to communicate and liaise with a variety of organisations and agencies is essential. A young, forward thinking person who works flexibly and challenges with excellent prospects should apply.  
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Chambers Banking & Finance specialise in the recruitment of lawyers into banks and other financial institutions. For further information about the above positions or for constructive career advice, please telephone Deborah Kihman or Stuart Morton on 0171 606 9371. Complete confidence is assured.

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This US house is a global leader in investment banking and seeks a senior lawyer (4-6 ppe) to support a new business area.

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In order to succeed applicants will need to display real dynamism and self confidence as they will be granted a high degree of autonomy within a demanding environment. Liaison with both internal departments within the bank and external clients will be a key element of the role and therefore client skills are of prime importance.

## Partner Moves

#### COMMERCIAL PROPERTY

Our client is a leading litigation and commercial practice with an outstanding reputation in the insurance market. The firm now seeks a commercial property partner to assist in the development of a small but busy department. Whilst some following would be useful, more importance will be given to proven entrepreneurial and leadership skills. An opportunity to make an impact.

#### PRIVATE TAX

An excellent opportunity has arisen with a well-established, progressive City firm looking for a partner, or possibly a small team, to add further substance to a high profile, but small Private Client department offering strategic and technical advice to high net worth individuals. Some following is necessary to justify the seniority of the appointment, and to demonstrate the ability to generate work.

For further information in absolute confidence about the opportunities available to those seeking a partnership move, please contact Dominique Graham, a specialist in partnership appointments, at Graham Gill & Young, 46 Kingsway, London WC2B 6EN. Tel 0171 430 1711. Fax 0171 831 4186.

#### CORPORATE FINANCE

A leading player in commercial litigation, both in the UK and internationally, our client now needs to address a client driven demand and an increasing non-contentious workload for another corporate finance partner or partner designate. No following is required, but pedigree, drive and enthusiasm are essential in order to work with a young, dynamic team.

#### THE REGIONS

Several of our leading regional clients have outstanding partnership opportunities in a range of commercial specialisations for senior solicitors in first rate City or major regional practices with 4-8 yrs ppe. Firms are not seeking client followings but candidates should have proven client development skills.

**GG**  
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## BY ANDREW LONGMORE

Neither that accolade, nor the knowledge that he can claim kinship with Jimmy Greaves on a distinguished list of great misused strikers, could completely erase the disappointment of his omission from the men's squad for Atlanta. The most talented goalscorer since Sean Kerly could not even make the final training party of 25, let alone the chosen 16. He was buoyed

It has not helped his rehabilitation that months later, fellow players, coaches and spectators still shake their heads in sympathy and disbelief. The Australians, who beat

**Crutchley believes his sense of adventure on the pitch may have cost him his place in the Great Britain squad**

If he coaches four nights a week, he can make about £250, but England training at Lilleshall on Monday nights has restricted his earnings. He still lives at home, loses money to his sport every weekend and

With the offside rule abolished at all levels of the game, this season and goalscoring went back in fashion. It is inconceivable that Crutchley will not play a leading role in the build-up to the next World Cup, in 1998, and the Olympics two years after. He could become the marketable face of British hockey has been searching for since 1988. He has the looks and the character, but, as he discovered over Sunday, not even his goals can guarantee salvation. Despitely his hat-trick, Carnock lost 4-3.

**Crutchley and Johnson show off their awards yesterday**

By CHRISTOPHER IRVINE

Sheffield Eagles agreed a deal with Keighley to secure Nick Pinkney, the England centre, and Martin Wood, who are reunited with the coach, Phil Larder. Wigan have registered Stuart Lester, the Auckland forward, in time for the Challenge Cup fourth round, on February 8 and 9.

FROM JOHN HENNESSY  
IN PARIS

Over the years her repertoire of gymnastic jumps has been her salvation, but she was like a wounded bird yesterday. At her best she would complete seven triple jumps to offset her inferior skating technique, but there were only three, four if you allow her a dubious lutz.

- why no-one else puts this much into training is a

For further information in complete confidence, please contact our retained consultants, Joe MacGee or Andrew Castfield on 0171 377 0871 (evening/weekends 0171 358 5212). Alternatively, please write to them at Zarak Macra Brenner, 37 Sun Street, London EC2M 2PY. Confidential fax: 0171 247 5174. Email joe@zmb.co.uk

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**Solution on page 50** 











TENNIS: WORLD NO 1 STRUGGLES TO BEAT 19-YEAR-OLD AS TEMPERATURES SOAR AT AUSTRALIAN OPEN

# Sampras survives heat of the moment

FROM MICHAEL HENDERSON IN MELBOURNE

IT IS a distinct possibility that the sun will claim a casualty from among the players in this Australian Open before it finishes on Sunday. The heat yesterday was merciless and the northerly wind in late afternoon served as a sirocco so oppressive that scores of spectators were treated for heat exhaustion. To play in such conditions, described by Pete Sampras, no less, as the toughest he had ever faced, took a will of steel.

As the final match of the evening began on Centre Court, between Thomas Muster and Jim Courier, the lights at Melbourne Park went out. At the same time, 500 yards away at the Melbourne Cricket Ground, where Pakistan were beating West Indies to win the World Series Cup one-day series 2-0, the floodlights failed. In both instances the extreme heat was held responsible for causing the temporary electricity failure.

It was so hot in Melbourne yesterday — 61 C on court in the early afternoon and a whopping 33 C at 12.50am, when Muster finally overcame Courier in four draining sets — that scores of spectators at the tennis and cricket received treatment for heat exhaustion.

In the country areas of

Victoria, fire-fighters dealt with several blazes in the bush and water-bombers were even sent in to douse the flames. In short, this was no day to be playing sport. According to Wasim Akram, the captain of Pakistan, who has seen a fair few hot days in his time, "it was far too hot".

Sampras, the No 1 seed, was shattered. He used up all five sets to beat the 19-year-old Dominik Hrbaty, of Slovakia.

Asked whether the heat condi-

tioned a health hazard, he said: "I think that's something a doctor should answer. There were times in the match when I was feeling it, but it's so hot, especially on that court, because a rebound ace court just absorbs all the heat and makes it that much tougher to breathe and play. My feet were on fire."

"The quality of tennis is not going to be great... the only thing you can do is drink a lot of fluids on the change-over, get an ice towel on you. I think there's going to have to come a point where someone gets hurt out there to make some sort of rule and, until that happens, I don't think anything is going to happen. These are the toughest conditions I've ever had to play."

For Hrbaty, a keen skier from Bratislava who turned professional last year, it was almost the day of his life. Almost, but not quite. "I hope the next time we play each other, I beat him," he said with disarming honesty. In Paris three years ago the Slovak, who was playing in the junior tournament, asked Sampras for his autograph. "Next time," he added cheekily, "I hope he asks me for an autograph."

Sampras will now play Alberto Costa, of Spain, in the quarter-finals. Costa came through after beating Wayne Ferreira, of South Africa, who retired in the third set with a thigh strain. Goran Ivanisevic, of Croatia, who beat Courier for the first time since 1990 despite being treated on court for a sore toe and numb fingers.

In the women's section Martina Hingis continues her march towards the final, although she struggled to win the first set of her match with the Romanian, Ruxandra Dragomir, on a tie-break after surrendering three of her service games. The second set proved less troublesome as she won six successive games to wrap up a tidy win and keep everybody excited about the prospect of watching the youngest player to win a women's grand-slam tournament this century.

Medical briefing, page 9



Dominique van Roost, of Belgium, races to the net during her defeat of Chanda Rubin

<b>Men's singles</b>	<b>Women's singles</b>	<b>Mixed doubles</b>
Fourth round	Fourth round	Second round
P Sampras (US) bt D Hrbaty (Slovakia) 6-7, 6-3, 6-4, 3-6, 6-4; G Ivanisevic (Croatia) bt C Costa (Spain) 6-4, 6-2, 6-7, 6-3, 6-3; A Costa (Spain) bt W Ferreira (South Africa) 6-3, 6-2, 3-6, 7-5, 6-3	I Spilane (Portugal) bt K Haboudova (Slovakia) 6-4, 6-2; D van Roost (Belgium) bt C Rubin (US) 7-5, 6-4; M J Fernandez (Spain) bt P Schuyler (Switzerland) 6-4, 6-2, 6-1; M Hingis (Switzerland) bt R Dragomir (Romania) 7-6, 6-1	L Michael (US) and S Macpherson (US) bt G Fernandez (US) and A Fierro (Argentina) 6-3, 6-4; L Raymond (US) and P Norval (South Africa) bt K A Gane (Lebanon) and P Norval (South Africa) 6-4, 6-2, 6-1; A Kuznetsov (Russia) and M Kuznetsov (Russia) bt K P and J Walsh (US) 6-7, 6-4, 6-2; L Helling (Austria) and J de Jager (South Africa) bt H Salovey (Colombia) and C Salk (Czech Republic) 6-3, 6-2; M Edwards (UK) and J Eltingh (Netherlands) bt J Capriati (US) and P Chan (Australia) 6-3, 6-2
<b>Men's doubles</b>	<b>Women's doubles</b>	<b>Third round</b>
Third round	Third round	
S Lauer (Canada) and A O'Brien (US) bt T Kempen (Netherlands) and T Nijssen (Netherlands) 6-3, 6-2; R Leach (US) and J Stark (US) bt J	C Martinez (Spain) and P Tassinari (Argentina) bt K Haboudova (Slovakia) and R Zrubkova	



Sampras is physically drained after his win over Hrbaty

ICE HOCKEY: SUPERLEAGUE TITLE RACE HOTS UP AS CARDIFF DEVILS SUCCEUMB TO NEAREST RIVALS AT FIFTH ATTEMPT

# Kovacs hat-trick steals narrow victory for Sheffield

BY NORMAN DE MESQUITA

CARDIFF Devils and Sheffield Steelers met for the fifth time in the Superleague this season on Saturday and, for the first time, the Steelers won. 7-6. Frank Kovacs scored three times for Sheffield, his first goal coming after only 13 seconds.

The Steelers led 5-0 after less than nine minutes, but the Devils gradually picked up their game and hauled

themselves to within one goal with two minutes remaining. However, Sheffield just held on for a victory that brought them to within one point of the Devils with a game in hand.

Cardiff bounced back on Sunday, however, and reopened a three-point lead with an 11-2 rout of Nottingham Panthers — the second time in three games that they had scored 11 goals. Kip Noble contributed a hat-trick.

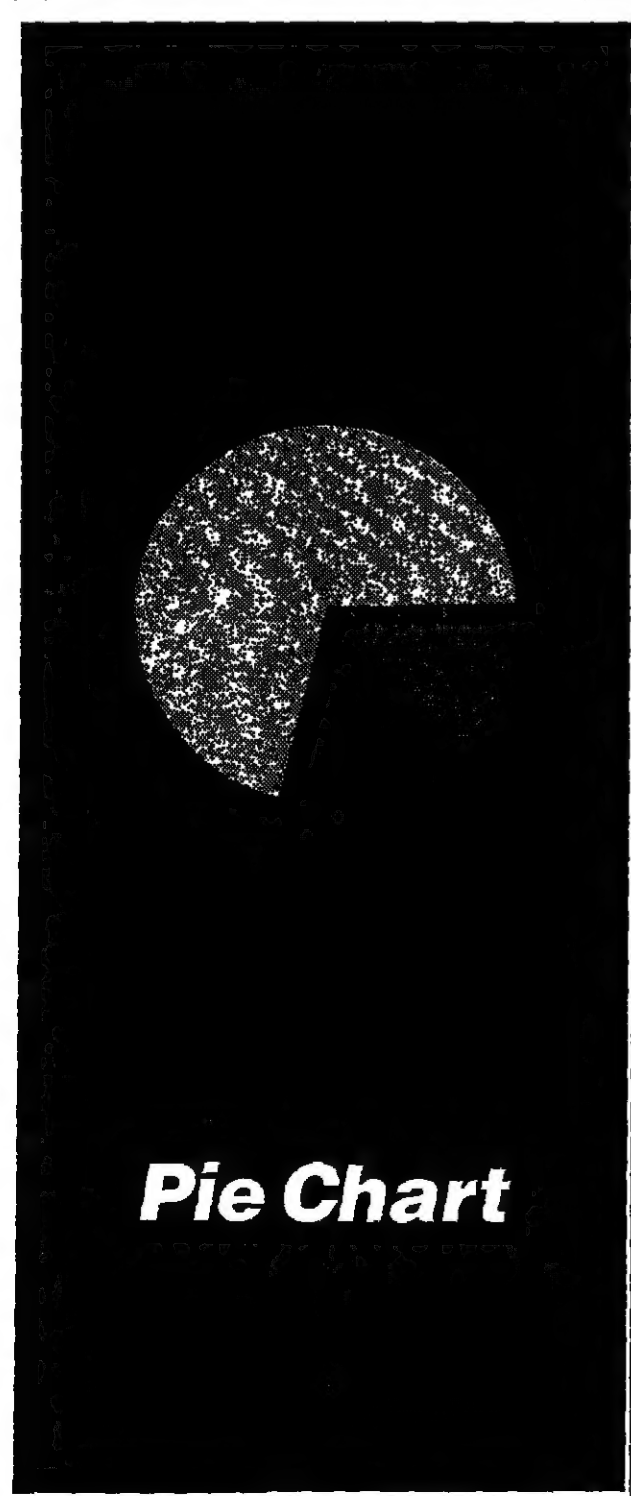
Ayr Scottish Eagles had mixed

fortunes on their trip to southern England, beating Basingstoke Bison on Saturday, but losing to Bracknell Bees the next day. Bison made far too many defensive errors and, but for the heroics performed by Richard Gallace, their goaltender, would have been beaten more heavily than 6-4. Times without number, Gallace was left to face marauding Ayr forwards without a Basingstoke defender in sight.

Two goals in eight seconds gave Bracknell just the start they wanted against the Eagles and they led 3-0 before Jiri Lala opened Ayr's account. The Scottish side never got closer and Bracknell, backed by another fine goalkeeping performance from Mark Bernard, won comfortably, 6-3.

The win took the Bees off the bottom of the table and once again relegated Manchester Storm to last place. For all the personnel changes

that John Lawless, their manager, has made, the Storm are still not competitive and it is hard to see them showing any significant improvement during the rest of the season. Sheffield have now opened up an eight-point gap ahead of Newcastle Cobras, who lie third, and the game on Saturday between the leading two in Cardiff could go some way to deciding which of them will take the title.



## Pie Chart

SNOW REPORTS									
	Depth (cm)		Conditions	Forecast	Weather (5pm)	Last snow			
	L	U	Faite	Off/p		°C			
<b>AUSTRIA</b>									
Mayrhofen	30	65	fair	varied	art	snow	0	20/1	
			(Plates improving with new snow)						
Obergurgl	40	150	good	varied	good	snow	-3	20/1	
			(Good sliding on new snow but visibility poor)						
Söld	20	65	fair	varied	icy	cloud	0	5/1	
			(Plates well maintained: snow forecast)						
<b>FRANCE</b>									
Ape d'Huez	135	270	good	heavy	good	snow	1	20/1	
			(Plenty of fresh snow but quite heavy: outlook good)						
Méribel	70	145	good	powder	good	snow	220/1		
			(Excellent powder skiing on uncorroded slopes)						
La Tania	100	140	good	heavy	good	cloud	320/1		
			(Good skiing and snow down to 1,400m)						
<b>ITALY</b>									
Cortina	50	120	good	heavy	good	snow	0	20/1	
			(New snow on hard base: good skiing)						
Uvigo	100	200	good	powder	good	snow	-1	20/1	
			(Fresh snow all levels: outlook excellent)						
<b>SWITZERLAND</b>									
C Montana	60	250	good	heavy	good	snow	0	20/1	
			(Snowing hard all day: prospects excellent)						
Klosters	25	145	good	powder	icy	cloud	3	20/1	
			(Fresh snow vastly improving all runs)						
Mürren	80	200	good	powder	good	snow	1	20/1	
			(Wonderful fresh powder but avalanche danger high up)						
Saas Fee	65	230	good	powder	fair	snow	-1	20/1	
			(New snow on hard base: poor visibility)						

Source: Ski Club of Great Britain. L - lower slopes; U - upper; art - artificial

## WORD-WATCHERS

Answers from page 47

### FENAGE

(c) The hay crop. From the Old French *fenage* from *fener* to make hay. Late Latin *faenare*, *faenum* hay, 1610: "The sowing of seeds of Trefoil doth much enrich Meadows both in Fennage and Fenage."

### GNATHO

(a) A person resembling the Gnatho of Terence. A parasite or brown-nosing sycophant. Terence gave his archetypal sucker-up his name from the Greek *gnathos* a jaw. Charles Kingsley, *Westward Ho!*, 1855: "That Jack's is somewhat of a gnathic and parasitic soul, or stomach, all Blackford apple-women know."

### FLAUTANDO

(b) The musical direction to a violinist or other string player to make a noise like a flute. From the past participle of the Italian *flautare* to play the flute. A dictionary of musical terms of 1876: "Flautando, flautato (fl.), like a flute: a direction to produce the flageolet tones on the violin, etc."

### GAYAL

(d) A semi-domesticated kind of ox common in Burma, Vietnam and Bangladesh. By some believed to be a variety of the gaur. By others regarded as a distinct species (*Bos frontalis*). The Hindi word. "When a rich man has made a contract of marriage, he gives four or five head of gayals (the cattle of the mountains) to the father and mother of the bride."

SOLUTION TO WINNING CHESS MOVE

1 Rb8+! Kd8 2 Nd7+ Kg7 3 Qxd5 and White wins easily.

# A Short guide to politics

A Ladywood Life. Radio 4 FM, 10.00am.

Clare Short is the best example in politics at the moment of someone people admire more than agree with. She is perceived as honest, frank, uncaring of image and unconcerned with ambition: we have a sneaking regard for MPs who are willing to upset their party leaders. Here, Short presents a tour of her constituency and although not damaging to New Labour, Short's concern for the people of Old Labour was seen to represent shades through the great-grandfather came to Birmingham in the 1840s after fleeing the Irish famine and the family has become entrenched there throughout huge demographic changes. The ethnic mix is perhaps best illustrated by the fact that Short the schoolgirl enrolled in the Brownies at a Hindu temple.

Night Waves. Radio 3, 10.45pm.

There are several good arts programmes on BBC radio and not the least of their merits is that they are scheduled at a variety of times in recognition of the fact that their audience has daytimes as well as night time requirements. Night Waves is especially good at featuring people who may not, but perhaps should be, household names. Georges Braque was as important as Picasso in the development of Cubism and tonight's programme is the subject of an exhibition at the Royal Academy of Art in London. Tonight's programme also reviews *The Nature of Blood*, the novel by Caryl Phillips.

Peter Bernard

<h3>RADIO 1</h3> <p>7.00am Simon Mayo 9.00 TBA 12.00 Mary Anne Hobbs 2.00pm Nick Campbell 4.00 Mark Goodier 7.00 Evening Session with Steve Lamacq and Jo Whiley 8.00 Cling Fiam with Mark Kermode and Mary Anne Hobbs. A weekly look at the charts, includes a special guest choosing their favourite 50 10.00 Mark Radcliffe 12.00 Clare Short, includes at 12.15am The Net 4.00 Chris Warren</p>	<h3>WORLD SERVICE</h3> <p>All times in GMT. News on the hour. 5.30am Europe Today 6.45 Development 7.00 7.15 On the Shelf 7.30 News 8.10 Words of Faith 8.15 The Wonderful Adventures of Mr. Smeagol 8.45 Good Books 8.55 World Business Report 8.15 Quota. Unquote 8.45 Sport 10.30 BBC English 10.45 On the Shelf 11.30 Medford Festival 12.15am World 12.30 Jazz Score 2.00 Outlook 2.30 Matchback 3.05 Sport 3.15 Matchback Sessions 3.30 Shared Experiences 4.15 World Today 4.30 BBC English 4.45 BBC Today 5.30 World Business Report 5.45 Sports Roundup 6.30 Jazz Score 7.00 Outlook 7.30 News 8.15 World 8.30 Meridian Features 10.30 World Today 10.45 Sports Roundup 11.15 Voicebox 11.15 Matchback 12.15am World 12.30 Britain Today 1.30 Outlook 1.55 Words of Faith 2.30 Composer of the Month 3.15 Sport 3.30 Meridian On Screen 3.30 Europe Today</p>
<h3>RADIO 2</h3> <p>6.00am Sarah Kennedy 7.30 Wake Up To Wogan 8.30 Ken Bruce 11.30 Jimmy Young 1.30pm Debbie Thompson 3.00 Ed Stewart 5.00 John Dunn 7.00 Hayes 8.00am 8.30 The Choice of the Week 10.00 Don't Put That Out Dick Vostrough looks at famous Broadway and Hollywood blunders 10.10 in Company With Southpaw. Stephen Goodwin talks to Stephen King (8.30) 10.30 The James 12.00am, 12.15am, 12.30am, 1.00am, 1.15am, 1.30am, 1.45am, 2.00am, 2.15am, 2.30am, 2.45am, 2.55am, 3.00am, 3.15am, 3.30am, 3.45am, 3.55am, 4.00am, 4.15am, 4.30am, 4.45am, 4.55am, 5.00am, 5.15am, 5.30am, 5.45am, 5.55am, 6.00am, 6.15am, 6.30am, 6.45am, 6.55am, 7.00am, 7.15am, 7.30am, 7.45am, 7.55am, 8.00am, 8.15am, 8.30am, 8.45am, 8.55am, 9.00am, 9.15am, 9.30am, 9.45am, 9.55am, 10.00am, 10.15am, 10.30am, 10.45am, 10.55am, 11.00am, 11.15am, 11.30am, 11.45am, 11.55am, 12.00am, 12.15am, 12.30am, 12.45am, 12.55am, 1.00am, 1.15am, 1.30am, 1.45am, 1.55am, 2.00am, 2.15am, 2.30am, 2.45am, 2.55am, 3.00am, 3.15am, 3.30am, 3.45am, 3.55am, 4.00am, 4.15am, 4.30am, 4.45am, 4.55am, 5.00am, 5.15am, 5.30am, 5.45am, 5.55am, 6.00am, 6.15am, 6.30am, 6.45am, 6.55am, 7.00am, 7.15am, 7.30am, 7.45am, 7.55am, 8.00am, 8.15am, 8.30am, 8.45am, 8.55am, 9.00am, 9.15am, 9.30am, 9.45am, 9.55am, 10.00am, 10.15am, 10.30am, 10.45am, 10.55am, 11.00am, 11.15am, 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# Builders' quotes, lies and measuring tape

Apparently, it's the custom for builders to drive their vans around residential streets, nodding with pride and achievement at each personal landmark they pass. "I done that one, I done that one, and I done that one," they say, quite cheerfully. Madama Benjamin's *Cutting Edge* film last night, *The Builders* are Coming (Channel 4) cleverly showed how, from the builder's point of view, this heritage trail was a matter for self-congratulation; but also how the substitution of "done" for "did" was no accident of education. Beyond those walls, householders still trembled with the after shock of their encounter with that builder, and echoed his words almost exactly. "I've been done," they said, distantly. "I've been done, I've been done."

In all aspects of life, of course, we play characters in other people's dramas, and they play parts in ours. Most of the time this

contra-deal is quite easy to accommodate. Yet for some reason, when building enters the human equation, the struggle for professional status can be titanic. In *The Builders* are Coming (which might better have been called *The Builders are Still Here and I'm Withholding the Cheque*), Benjamin followed three or four stories of ostensibly pleasant builders and ostensibly pleasant clients, whose promising relationship had been skewed by the simple fact that the builders routinely lied about completion dates, and moreover held the clients' homes to ransom.

When each of these clients employed their builder, you see, they can do attitude persuaded them he would be a minor character in their drama; whereas in no time at all they have become just a laughable stage in his. From Gary the builder's point of view, his paymasters Rhona and Jerry are just ridiculous. He leans on a

spade and chuckles, while his long-haired pal Andy gives him and looks at the clouds. The trouble is, Jerry gives them a list of new jobs each morning, while Rhona, a head teacher with an imaginary clipboard, checks progress relentlessly and complains about the hold-ups. Gary can only shrug. If Rhona and Jerry contradict each other, it's part of life's rich pattern; if Rhona needs to let off steam, it's no skin off his nose. Agreeing to everything, he mixes more cement, lays some bricks, and disappears on holiday.

Beautifully made and edited, *The Builders* are Coming struck exactly the right note of sympathy; all the outrage and cushion-chewing was left to the viewer at home. Star of the film was a tall, complacent, friendly builder, called Simon, who learnt proprietorially against door posts without once offering a hand's

## REVIEW



Lynne Truss

turn, and upheld, in all seriousness, that clients are simply too delicate to bear the truth. Moral philosophers should study Simon and write papers about him. He believes that lying is a necessary kindness, while at the same time he can't understand why his client-relationships invariably end in biblical overtones. "As the years go by, he says, 'he warns people when he starts each job. He shrugs

fatalistically. 'It always happens.'"

Elsewhere on telly last night, the moral maze was considerably easier to figure out. In Channel 4's paranoid *X-Files* lookalike *Dark Skies*, for example, the bad guys are the ones who have a wiggle, lessy ganglion inside their heads: the good guys are ganglion-free. See? Moral philosophy made redundant at a stroke. President Kennedy and then Lee Harvey Oswald were both killed by ganglions. We always knew there'd be a simple explanation.

Meanwhile, ITV's new pathology drama *McCallum* completed the story started last week, and the culprit was Josh, the elder of Jane Lapotnik's two sons. Viewers may have guessed this, but the unfolding of the story was still quite gripping, perhaps because the grippiness, Jewish family added biblical overtones. Josh had killed his supposed father; he thought he was his natural father to die

for him. And then he killed his brother. I think I said it was biblical. *McCallum* (made by STV) is very, very good by ITV standards. And since forensic science is the key to *The Truth* (no argument about it, even the philosophers can rest easily in their bunks).

The big event of the evening, of course, was the well-publicised return of Ruby Wax Meets... (BBC1), a show which has presumably spawned a whole new breed of media trainers, teaching Hollywood actors how to act the goat for pleasure and profit. Sharon Stone has surely studied videos in advance, and had taken the sensible decision to act chummy in satin jimmies, as if the interview were, heck, a crazy stunner party! In passing - and when she could get a word in - she revealed gruesomely fascinating insecurities, but the best friend act was so

phony it exposed the limits of Ruby's technique. At any point, Ruby could have broken the pretence wide open with "Do I know you?" But of course she never did.

Finally, Channel 4 chose a wearisome, late-night spot for a serious, terrific and timely documentary by Claudia New. *Evil Pre-Madonna*, filmed in Argentina during the making of the movie. Intercutting Peronist diaries with Madonna wannabes, it was a study of fanaticism, idolatry and "cultural penetration", and also provided the sole example of human dignity in the whole evening. At its climax, a local actress dressed as Eva Peron sat bolt upright on a bench and sang a 1950s tango of astonishing force. "I'll return and I'll be millions," she sang. "With the might of a power of the hurricane." It was the best answer to cultural penetration I've ever heard.

- 6.00am BUSINESS BREAKFAST** (90228)  
**7.00 BBC BREAKFAST NEWS** (1) (47315)  
**9.00 BREAKFAST NEWS EXTRA** (1) (405421)  
**9.20 ALL OVER THE SHOP** (567585)  
**9.45 KILROY** (187247)  
**10.30 CANT COOK, WONT COOK** (47976)  
**11.00 NEWS** (1) and weather (517559)  
**11.05 THE REALLY USEFUL SHOW** (506765)  
**11.45 MILLIE'S PEOPLE** Paddy Ashdown (592265)  
**12.00 NEWS** (1) and weather (773519)  
**12.05pm THE ALPHABET GAME** (5934402)  
**12.30 GOING FOR A SONG** (457857)  
**12.55 THE WEATHER SHOW** (27142824)  
**1.00 NEWS** (1) and weather (44042)  
**1.30 REGIONAL NEWS** (4472518)  
**1.40 NEIGHBOURS** (1) (74624315)  
**2.05 THE FLYING DOCTORS** (1) (8866228)  
**2.45 PUT IT TO THE TEST** (8634247)  
**3.10 WEAR IT WELL** (1) (3109778)  
**3.30 PLAYDAYS** (3632976) 3.50 Camper Classics (247965) 3.55 Hubbub (394028) 4.10 Prince of Atlantis (1418782) 4.35 The Mask (7631886) 5.00 Newsworld (1) (2533763) 5.10 Grange Hill (287112)  
**5.40 NEIGHBOURS** (1) (1) (287112)  
**6.00 NEWS** (1) and weather (421)  
**6.30 NEWSROOM SOUTH EAST** (773)  
**7.00 HOLIDAY** The beaches of the Maldives, Maldives and Andros. A working holiday at Balmuccia, Co Cork, and a bargain break in Lila (1) (3053)  
**7.30 EASTENDERS** A stranger calls on Kathy, with starting of (1) (1) (587)  
**8.00 CHILDREN'S HOSPITAL** Jan Connor meets a ten-year-old who is convinced her diagnosis is wrong (1) (2711)  
**8.30 THE DETECTIVES** Boyle and Briggs find themselves suffering from acute hypochondria as they patrol the wards guarding a bank robber in hospital after a bungled raid (1) (8518)  
**9.00 POLITICAL BROADCAST:** Conservative Party (118570)  
**9.05 NEWS** (1) and weather (172518)  
**9.35 HARRY ENFIELD AND CHUMS** (1) (951570) **WALE:** 9.35 Captain Colenso's Last Voyage (2535792) 10.00 Harry Enfield and Chums (461611) 10.20 Inside Story (252268) 10.30 **FLM:** The Package (720069) 1.50 News (2567209)  
**10.10 INSIDE STORY** Account of how the KGB extracted information from Western diplomats and businessmen (1) (488841)  
**11.00 FILM:** The Package (1988) Genie Hackman plays an army sergeant who realises he is being manipulated by renegade Russian and American soldiers. Directed by Andrew Davis (507042)  
**12.00am FILM:** From Hollywood to Desperation (1990) starring Scott Paulin. Detective spoof about two struggling private investigators hired by a movie company to track down a missing leading lady. Directed by Rex Pickett (940193)  
**2.15 WEATHER** (1578261)

**VideoPlus+ and the Video PlusCodes**  
 The numbers next to each TV programme listing are Video PlusCodes, which allow you to programme your VCR to record a programme automatically with a VideoPlus+ "handset". The VCR will automatically record the programme with the Video PlusCode, and will also record the programme with the Video PlusCode, and will also record the programme with the Video PlusCode.

- 6.00am OPEN UNIVERSITY:** Victorian Dismissing Chapels (4003247) 6.25 Religion and Society in Victorian Britain (4015062) 6.50 Victorian and the Art of the Past (4183711) 7.15 See Hear Breakfast News (592268) 7.30 Help! It's the Hair Bear Bunch! (2415537) 7.55 Blue Peter (1) (2205792) 8.20 John's Record (3352247) 9.00 Standard Grade English (4603063) 9.20 The Business Studies Collection (8673637) 9.45 Watch (814044) 10.00 Playdays (34353) 10.30 Come Outside (674905) 10.45 Science Zone (541109) 11.05 Space Ark (6187952) 11.15 The Club (213559) 11.30 Shakespeare: The Animated Tales (5995) 12.00 See Hear! (29570) 12.30pm Working Lunch (58112) 1.00 Teaching Today (48044) 1.30 Patch House (4471385) 1.40 Patch House (3110359) 1.50 Johnson and Friends (8628034) 2.10 Everyone's Got One (9154082) 3.00 News 3.05 Westminster (7015363) 3.35 News (244806) 4.00 Today's Day (886) 4.30 Ready Steady Go 5.00 Esther (1841) 5.30 True Romance (477808) 5.50 Line (582666)  
**6.00 THE FRESH PRINCE OF BEL AIR** (217888)  
**6.25 HEARTBREAK HIGH** (1) (214063)  
**7.10 TENNIS** Australian Open (723529)  
**8.00 HOME FRONT** (1) (1) (3763)  
**8.30 FOOD AND DRINK** Australian wine for under \$8 a bottle, the best of Italian bread and chef James Martin cooks up a gourmet meal for 300 students at Durham University (1) (8660)  
**9.00 GERTY HAMILTON'S PARADISE GARDENS** Geoff visits gardens in Warwick and Oxford (1) (6402)  
**9.30 SKELETON COAST** Benedict Allen leaves the safety of Luderitz to make the hazardous trek to the port of Walvis Bay (3/8) (1) (76976)  
**10.00 GROWN UPS** The gang play matchmaker for a less than enthusiastic Murray (1) (37559)  
**10.30 A POLITICAL BROADCAST:** Conservative Party (558995)  
**10.35 NEWSNIGHT** (1) (586711)  
**11.15 FACE TO FACE: Harold Pinter** Harold Pinter reminisces (11.15pm)  
**11.45 FACE TO FACE: Harold Pinter** Harold Pinter looks back at his childhood in Hammersmith, east London, his obsession with language and the accidental sightings of often bizarre images that have influenced his work (1/6) (883155)  
**11.55 WEATHERVIEW** (252247)  
**12.00 THE MIDNIGHT HOUR** (5384)  
**12.30am LEARNING ZONE:** O.U. Energy and Rockets 1.00 Organic Molecules in the Cosmos 2.00 Music Molecules: Into Music 4.00 Teaching and Learning with IT 5.00 Inside Europe 5.30 Film Education



Harold Pinter reminisces (11.15pm)

- Secret History: Hello Mr President** 9.20pm  
 Within days of becoming President of the United States, Lyndon Johnson ordered his secretary to record all his telephone calls. More than 4,000 hours of material were deposited in the LBJ Library in Texas, of which only a small part has been made public. But it is enough to cover Johnson's first 100 days in office and to provide the basis for a fascinating glimpse into his style and behaviour, presented by an experienced Washington hand, Charles Wheeler. Johnson came to the highest office on the assassination of John Kennedy and a theme of the programme is LBJ's determination to distance himself from his predecessor and fight the continuing impact of the Kennedy clan. As well as a Kennedy-hater, the phone calls reveal a man who for all his bullying and bluster was chronically insecure.  
**Inside Story: The Honey Trap** BBC1, 10.10pm  
 Now here's a funny thing. When it comes to seduction the least susceptible males are the Dutch, the Swedes and Danes, from the very countries supposedly at heart of sexual permissiveness. The Italians and Spanish are much easier targets, while the British are less so than they pretend to be. The authority for all this is none other than the KGB, based on its long experience of using pretty Russian girls to offer sex to foreigners in return for information. Jamie Draven's film dares to present the "unlaid story" of such entrapments, though many of the cases have already made the headlines. The most poignant is that of the American Marine sergeant, Clayton Lonetree. While based at the Moscow Embassy, he fell for, and passed secrets to, a KGB plant called Violeta. The play of it that insists that they were genuinely in love.  
**Network First: Return to the Place of the Dead** ITV, 10.45pm  
 Here is the second programme in four days on the ill-starred British Army expedition to the Borneo jungle in 1954. The first one retold the story in a dramatic reconstruction. This is a documentary sequel in which two of the men, Bob Mann and Richie Mayfield, go back to Borneo and relive the events which nearly cost them their lives. If it sounds like masochism, they also have an emotional reunion with the villagers who helped to save them. The rights and wrongs of the fiasco, which led to the deaths of 21 British soldiers, are largely ignored, though Mayfield is bitter about his treatment by the Army and blames the incident for the break-up of his marriage. As the men return to the gully where they nearly perished you can understand why it is called the Place of the Dead.  
**Face to Face: Harold Pinter** BBC2, 11.15pm  
 Persuaded into a rare television interview, Harold Pinter gives little away and Sir Jeremy Isaacs does not push him, particularly on his private life, further than he clearly wants to go. But after a surfeit of chat show gush it is a treat to listen to intelligent and articulate conversation, in which setting the latest book or film plays no part. It is to be hoped that Pinter is as precise and laconic as the characters in his plays. There is not a spare word as he fields questions about his use of language, those famously expressive silences and the extent to which he regards himself as a political writer. Mostly measured, Pinter reserves his bile for "critics who behave like a bunch of snobs, who fidget and cough and the present Government for reminding him of his overbearing father."  
**Peter Waymark**

- 6.00am GMTV** (1528421)  
**9.25 WIN, LOSE OR DRAW** (8850686)  
**9.55 REGIONAL NEWS** (9453711)  
**10.00 THE TIME, THE PLACE** (38179)  
**10.30 THIS MORNING** (3801395)  
**12.20pm REGIONAL NEWS** (7752403)  
**12.30 NEWS** (1) and weather (4855333)  
**12.55 SHORTLAND STREET** (4840044) 1.25 Home and Away (1) (80018044) 1.50 Afternoon Live (7458247) 2.20 Vanessa (1) (2488957) 2.50 Afternoon Live (9190402)  
**3.20 NEWS** (1) (806095)  
**3.25 REGIONAL NEWS** (6189266)  
**3.50 POTAMUS PARK** (8851371) 3.40 Woodcocks (1283518) 3.50 Rupert (3621860) 4.15 Hey Arnold! (1402131) 4.40 Are You Afraid of the Dark? (1778260)  
**5.10 YAN CAN COOK: THE BEST OF CHINA** (8856886)  
**5.40 NEWS** (1) and weather (460518)  
**6.00 HOME AND AWAY** (1) (1) (204315)  
**6.25 HTV NEWS** (1) (562112)  
**7.00 EMERALD** (1) (8131)  
**7.30 GREAT WESTERN WOMEN:** Animal Passions The series concludes with a profile of Dr Marthe Kipling-Worthington, probably the most controversial animal behaviourist in the world (363)  
**8.00 THE BILL** A girl collapses after taking Ecstasy and her father is convinced her boyfriend was responsible (1) (4173)  
**8.30 PET POWER** A German Shepherd whose sixth sense saved its owner from a horrific tale (1) (3686)  
**9.00 PRACTICE** Will suspects Kate is suffering from post-natal depression (1) (6570)  
**10.00 A POLITICAL BROADCAST:** Conservative Party (1) (225043)  
**10.05 NEWS** (1) and weather (307537)  
**10.35 REGIONAL NEWS** (267131)  
**10.45 NETWORK FIRST: Return to the Place of the Dead** Following the emotional journey made by Bob Mann and Richie Mayfield to the jungles of Borneo, where they almost died in 1954, when a British Army expedition went badly wrong (1) (388044)  
**11.45 HIGHLANDER** (249782)  
**12.00am COLLINS AND MACONIE'S MOVIE CLUB** (777803)  
**1.10 ED'S NIGHT PARTY** (3187944)  
**1.40 LATE AND LOUD** (2343464)  
**2.40 THE CHART SHOW** (1) (492819)  
**3.35 SOUND BITES** (33011919)  
**3.50 FOOTBALL EXTRA** (1) (8455735)  
**4.30 THE TIME, THE PLACE** (1) (24754)  
**5.00 THE VILLAGE SHOW** (1) (79716)  
**5.30 NEWS** (84667)



Mann and Mayfield (10.45pm)

- As HTV West except:**  
**12.55pm-1.25 A COUNTRY PRACTICE** (4630044)  
**5.10-5.40 SHORTLAND STREET** (885686)  
**6.25-7.00 CENTRAL NEWS** (562112)  
**7.30-8.00 HEART OF THE COUNTRY** (353)  
**11.45 CENTRAL SPORT SPECIAL** (884228)  
**12.45am COLLINS AND MACONIE'S MOVIE CLUB** (4710648)  
**2.00 Film: FOR PETE'S SAKE** (715006)  
**2.55 IN FOCUS** (9410193)  
**3.40 FOOTBALL EXTRA** (271667)  
**4.20 CENTRAL JOSEPHINE '97** (1003532)  
**5.20 ASIAN EYE** (5119700)  
**As HTV West except:**  
**12.50pm-12.30 ILLUMINATIONS** (7752402)  
**1.55-1.25 WISH YOU WERE HERE?** (4630044)  
**5.10-5.40 HOME AND AWAY** (885686)  
**6.00-7.00 WESTCOUNTRY LIVE** (88567)  
**7.30-8.00 WILD WEST COUNTRY** (353)  
**As HTV West except:**  
**1.00-1.25 SHORTLAND STREET** (2880763)  
**5.10-5.40 HOME AND AWAY** (885686)  
**6.00 MERIDIAN TONIGHT** (885)  
**6.30-7.00 SURPRISE CHEFS** (841)  
**7.30-8.00 OUT OF TOWN** (353)  
**11.45 PRISONER CELL BLOCK H** (249792)  
**5.00am FREESCREEN** (79716)  
**As HTV West except:**  
**12.55pm-1.25 CROSSWITS** (4630044)  
**5.10-5.40 SHORTLAND STREET** (885686)  
**6.25-7.00 ANGLIA NEWS** (562112)  
**7.30-8.00 OUT TO LUNCH WITH BRIAN TURNER** (353)  
**11.45 MIDWINTER KICK-OFF** (249792)  
**Starts: 6.00am SESAME STREET** (16266)  
**7.00 THE BIG BREAKFAST** (83353)  
**9.00 BEWITCHED** (34402)  
**9.30 YSGOLION** (863402)  
**12.00 HOUSE TO HOUSE** (54266)  
**12.30pm HERE'S ONE I MADE EARLIER** (81808)  
**1.00 SLOT MEITHRIN** (33112)  
**1.30 Film: THE DESERT RATS** (82427131)  
**3.05 FRESH POP** (6491082)  
**3.15 MONTELL WILLIAMS** (3088805)  
**4.00 FIFTEEN-TO-ONE** (222)  
**4.30 TV DINNERS** (265)  
**5.05 PUMP** (6537)  
**5.30 COUNTDOWN** (518)  
**6.00 NEWSDOWN** (828044)  
**6.05 HENO** (215421)  
**6.35 GEAR AM AUR** (197886)  
**7.00 POLY CYWM** (325792)  
**7.25 DUDLEY** (930889)  
**8.00 PACIO** (5421)  
**8.30 NEWSDOWN** (1228)  
**9.00 CUTTING EDGE: THE BUILDERS ARE COMING** (7112)  
**10.00 BROOKSIDE** (871995)  
**10.35 DARK SKIES** (831529)  
**11.30-1.45am Film: THE BALLAD OF LITTLE JO** (8860886)  
**4.00 YSGOLION** (5798358)

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**10.35 DARK SKIES** (831529)  
**11.30-1.45am Film: THE BALLAD OF LITTLE JO** (8860886)  
**4.00 YSGOLION** (5798358)  
**Lyndon Baines Johnson (9.00pm)**  
**9.00 SECRET HISTORY: HELLO MR PRESIDENT** During his presidency, Johnson insisted that all his telephone calls were recorded. Tonight Charles Wheeler charts the first 100 days of his term in office, which saw him tackling such issues as civil rights, poverty, the investigation into JFK's assassination and Vietnam (1) (7112)  
**10.00 FILM: A Time To Live** (1985) A made-for-television drama starring Lita Minelli as a mother looking after her son, a victim of muscular dystrophy. Directed by Rick Wallace (1) (863995)  
**11.45 FILM NIGHT** A preview of the Sundance Film Festival, founded by Robert Redford, and a look at the work of Ken Loach (33063)  
**12.00am FILM: Salmonberries** (1991) starring Robert Zech and k.d. lang. Drama about the unresolvable relationship between two women. Directed by Percy Adlon (736280)  
**2.05 FILM: Rosalie Goes Shopping** (1989) A satire on American consumerism starring Marianne Sägebrecht and Brad Davis. Directed by Percy Adlon (1) (335268)  
**3.45 ANIMAL** Hester Schofield's look at the quirkiness of a seaside town (3308445)  
**4.00 SCHOOLS** (5798358)  
**5.15 BACKDATE** (1) (1) (21006)



Lyndon Baines Johnson (9.00pm)

- For more comprehensive listings of satellite and cable channels, see the Directory, published on Saturday SKY 1**  
**6.00am Morning Glory** (793334) 9.00 Desperate Housewives (2626) 9.30 Desperate Housewives (2626) 10.00 Another World (7512) 11.00 Days of Our Lives (5876) 12.00 The Oprah Winfrey Show (26179) 1.00pm Gosh! (21529) 2.00 Sally Jessy Raphael (5404) 3.00 Jerry Jones (24063) 4.00 The Oprah Winfrey Show (26179) 5.00 Star Trek: The Next Generation (93478) 6.00 Star Trek: Voyager (93478) 7.00 The Simpsons (1247) 7.30 MASH (5377) 8.00 Springfield (5749) 8.30 The Simpsons (1247) 9.00 The Simpsons (1247) 9.30 The Simpsons (1247) 10.00 The Simpsons (1247) 10.30 The Simpsons (1247) 11.00 The Simpsons (1247) 11.30 The Simpsons (1247) 12.00 The Simpsons (1247) 12.30 The Simpsons (1247) 1.00 The Simpsons (1247) 1.30 The Simpsons (1247) 1.50 The Simpsons (1247) 2.00 The Simpsons (1247) 2.30 The Simpsons (1247) 3.00 The Simpsons (1247) 3.30 The Simpsons (1247) 4.00 The Simpsons (1247) 4.30 The Simpsons (1247) 5.00 The Simpsons (1247) 5.30 The Simpsons (1247) 6.00 The Simpsons (1247) 6.30 The Simpsons (1247) 7.00 The Simpsons (1247) 7.30 The Simpsons (1247) 8.00 The Simpsons (1247) 8.30 The Simpsons (1247) 9.00 The Simpsons (1247) 9.30 The Simpsons (1247) 10.00 The Simpsons (1247) 10.30 The Simpsons (1247) 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## HOCKEY 46

Joint honours for game's leading couple

# SPORT

TUESDAY JANUARY 21 1997

## RACING 49

McCoy ready to pin his colours to Pipe



Carling ousts Guscott against Scots

## Grayson earns belated recall from England

By DAVID HANDS, RUGBY CORRESPONDENT

THE England rugby union selectors did yesterday what they should have done three months earlier and recalled Paul Grayson, who will play stand-off half against Scotland when the defending champions open their five nations' campaign at Twickenham on February 1.

Grayson, whose six penalties squeezed the life out of Scotland in the Calcutta Cup match last year, replaces Mike Catt in a side showing four changes of personnel and two of position from that which performed so poorly against Argentina a month ago.

Yet, having taken corrective action at stand-off and in the back row, where Richard Hill will win his first cap at open-side flanker, doubts remain over the selectors' choice at scrum half and the midfield pairing of Phil de Glanville and Will Carling.

England's ambition is still to paint broader brush strokes than those which decorated the championship last season and now they must do so with a new half-back pairing and centres who do not complement each other. Wales, for example, demonstrated against Scotland on Saturday

### FIVE NATIONS



### CHAMPIONSHIP

a capacity to attack through all three midfield players. Jeremy Guscott still offers that variety but, if the management believes that he is not robust enough for the fray — which was hinted at yesterday — then there is little point keeping him in the senior squad.

Carling is a pace and power individual, Guscott is at the other end of the spectrum. Jack Rowell, the England coach, said, somewhat obliquely, "The way the game is going there are no prisoners taken. You need to be robust and we think Will has the edge on Jerry." In that event, it might be more productive to have a player such as Will Greenwood, who is awarded the captaincy of the A team, or

Nick Greenstock among the replacements.

Rowell said that Catt, having been given three games in which to prove himself at stand-off, lacked the organisational skills required at international level, though he offered the prospect of a return at some time as a centre. Grayson and Alex King, of Wasps, were discussed, but, sensibly, the decision went to the player blooded last season and playing in an ambitious club side at Northampton. Grayson is also a regular goalkicker, which King is not.

Andy Gomarsall, King's club partner, receives a vote of confidence at scrum half, despite mixed displays against the New Zealand Barbarians and Argentina. He is, at least, being given time to settle, though Kyran Bracken's form for Saracens is such that he will be disappointed not only to have missed selection, but also to have been pushed down the list by Austin Healey, whose outstanding attacking qualities have won him a place among the replacements.

Two of England's changes are the results of injuries that prevented de Glanville and Tim Stimpson from playing against Argentina. The captain displaces Guscott, and Stimpson returns at full back ahead of Nick Beal.

In the forwards, Chris Sheehy can count himself fortunate to lose his place at No 8. He did little wrong in his three appearances before Christmas, but Tim Rodber's organisational and playing skills help to keep him in the team. Rodber moves from blind-side flanker to No 8, Lawrence Dallaglio from



Twist of fate: Surya Bonaly, of France, on her way to a faltering qualification in Paris yesterday. The five-times European champion is still struggling with the after-effects of a serious Achilles tendon injury sustained last year. Report, page 46

## Claridge seeks to banish Ipswich blues

By RUSSELL KEMPSON

LEICESTER City featured prominently in most pundits' pre-season predictions, usually as the club most likely to prop up the FA Carling Premiership. Having taken their place among the elite via the first division play-off final and a dramatic 2-1 victory against Crystal Palace, few expected them to survive.

Seven months on, Leicester are in mid-table, not yet comfortable but certainly respectable. They also have a perfect record in knock-out competitions this season, with five wins from five games, and attempt to reach the last four of the Coca-Cola Cup when they take on Ipswich Town in a delayed quarter-final tie at Portman Road tonight.

For Steve Claridge, scorer of the extra-time goal that defeated Palace at Wembley, it is a chance to erase rather more

unpleasant memories. Two months earlier, he had made his debut for Leicester against Ipswich at Portman Road, after moving to Filbert Street from Birmingham City.

"Within 15 minutes we were trailing 3-0," the striker said. "I've been used to making dreadful starts with new clubs, but that was exceptional. We managed to get it back to 3-2, but, in fairness, they murdered us that day and got another goal near the end." Ten days later, Ipswich beat Leicester 2-0 in the return fixture.

"We are not the kind of side that takes matches lightly, but the fact that Ipswich battered us twice at the end of last season will act as an extra reminder," Claridge said. "We have given ourselves half a chance of getting to Wembley again and, personally, what happened there last May is something I will never forget."

I'm sure that goes for the rest of the lads."

Wimbledon await the winners. They lost 1-0 away to Leicester on Saturday, but turn their attentions to an FA Cup third-round replay against Crewe Alexandra, of the Nationwide League second division, at Selhurst Park. Though beaten only twice in 25 matches, they are keen to

'Match-rigging' trial — S Rob Hughes — 47

avoid a repetition of their poor display at Filbert Street.

"Leicester deserved to win, we were clinging on near the end," Chris Perry, the Wimbledon defender, said. "We've not been playing as well as we were a month or so ago, but the morale is still good."

"Perhaps some of us are getting a bit tired. We've had a

lot of games in a short space of time and maybe it's starting to show. Once we click again, I'm sure we can put another good run together." The reward for the winners is not inconsiderable: a fourth-round tie against Manchester United at Old Trafford.

Captain Group, the owner of Leeds United, has made an offer to Leeds City Council to buy the club's Elland Road ground. The local authority purchased the ground in 1985, for £2.5 million, but Caspian is ready to pay double to buy it back.

Simon Richards, assistant to Robin Lauder, the Leeds United chief executive, said:

"An offer has been made and we are awaiting a response. I'm not prepared to reveal the price offered, but £5 million is not far wide of the mark."

Mike Tait, the Hartlepool United manager who resigned on Sunday, has been persuaded

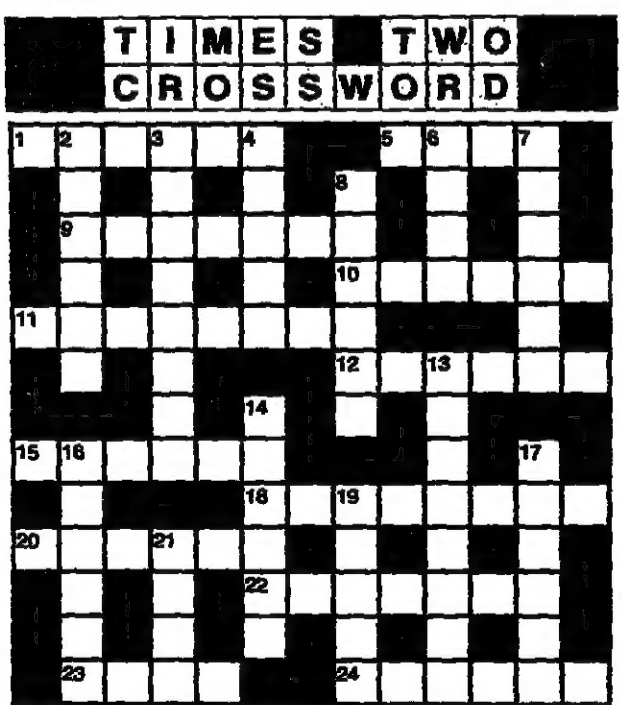
to change his mind. Tait stood down only three weeks after becoming manager over a dispute about plans to scrap the third division club's youth policy, but withdrew his resignation yesterday.

Tommy Burns, the Celtic manager, was banned from the touchline for a year yesterday after a dispute with a referee's assistant during the Old Firm defeat at Celtic Park last November. He also received his second fine of £2,000 this season. Burns pursued the official before being restrained, and was later sent to the stand by referee Hugh Dallas.

Jim Jeffries, the Heart of Midlothian manager, was fined £500 by the same Scottish FA disciplinary committee for comments he made to a referee's assistant during the Coca-Cola Cup final defeat against Rangers at Celtic Park in November.

### ENGLAND DETAILS

	Age	Caps
T R G Stimpson (Newcastle)	23	1
J M Sheehy (Bath)	34	6
W D C Carling (Hartlepool)	31	68
F R de Glanville (Bath, capt)	28	17
T Underwood (Newcastle)	26	21
P J Grayson (Northampton)	25	5
A C T Gomarsall (Wasps)	22	2
G C Rowntree (Leicester)	25	10
M P Riegan (Sheff)	24	9
J Leonard (Hartlepool)	28	51
L N Dallaglio (Wasps)	26	38
M O Johnson (Leicester)	26	39
S D Shaw (Bristol)	23	2
P A H Rodber (Northampton)	23	0
T A N Rodber (Northampton)	27	27
REPLACEMENTS: J C Guscott (Bath, 31, 46), M J Carr (Bath, 23, 20), A Healey (Leicester, 23, 0), D J Gifford (Leicester, 30, 0), P B T Greening (Leicester, 31, 1), B B Clarke (Bristol, 28, 20)		
ENGLAND A v Scotland A, Huddersley, January 31, N Beal (Northampton), A Adebayo (Bath), W Greenwood (Leicester, capt), N Greenstock (Wasps), D Luger (Hartlepool), A King (Wasps), K Bracken (Saracens), R Hardwick (Coventry), R Cockerill (Leicester), J Mallett (Bath), C Sheehy (Wasps), G Archer (Newcastle), D Sims (Gloucester), N Beck (Leicester), A Depina (Saracens), Riegan (Wasps), N Walshe (Hartlepool), P Chellor (Hartlepool), J Mullender (Sale), K Yates (Bath), S Diamond (Sale), G Allen (Huddersley)		
ENGLAND A v Otago, Bristol, January 31: C Carling (Gloucester), I Hunter (Northampton), A Blyth (Newcastle), M Allen (Northampton), H Transwell (Northampton), M Magillott (Gloucester), S Barton (Gloucester), M Voland (Northampton), D Wood (Leicester), V Ugo (Bath), M Conn (Bristol), R Fidler (Gloucester), J Foster (Sale), R Jenkins (Hartlepool), S Clancy (Bath, capt), Riegan (Wasps), G Enderby (Northampton), R Lacy (Leicester), P Marsh (Hartlepool), G French (Bath), W Green (Wasps), P Angelos (Oxford)		



No 996

ACROSS  
1 Good luck charm (6)  
5 Seize (4)  
9 Where Don John of Austria beat Turks (Chester) (7)  
10 Reason for action (6)  
11 Light-hearted reprieve (8)  
12 Servants' uniform (6)  
15 It is a love story, God wot (T E Brown) (6)  
18 Sheriff's officer (8)  
20 Unravelling (6)  
22 Orgy of destruction (7)  
23 Stare fixedly (4)  
24 Relative senior nurse (6)

DOWN  
2 Muslim scholar (6)  
3 Unbalanced (8)  
4 Indian two-wheeler: Friend by Islands (5)  
6 Humiliating defeat (4)  
7 Dam-building rodent (6)  
8 Unpretentious (US) ugly (girl) (6)  
13 Provisions of food (8)  
14 Detain (enemy) aliens (6)  
16 Canvas shelter (6)  
17 Weak: over-refined (6)  
19 Presses for information: shoes (5)  
21 Q-and-A entertainment (4)

### SOLUTION TO NO 995

ACROSS: 1 Behaviuor 6 Dew 8 Novelty 9 Naive 10 Flog 11 Reversal 13 Tremor 14 Quench 17 Ideogram 18 Idea 20 Crete 21 Plumage 22 Run 23 Manifesto  
DOWN: 1 Benefit 2 Have one's eye on 3 Vile 4 Oxygen 5 Runner-up 6 Dribs and drabs 7 Wheel 12 Long-term 15 Heave-ho 16 Sampson 17 Incur 19 Muff

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Hill first cap

open-side flanker to the blind side, where he is now playing his club rugby, with Hill receiving the call ahead of Neil Back, of Leicester.

There is no doubt that Hill, 23, has benefited by playing alongside so many world-class players with Saracens, but he has been knocking on the door for two years, and to some extent offers a compromise. He has honed his open-side talents after a period when he played No 8 and blind-side but, at 6ft 2in and 15st 9lb, he offers greater physical presence than Back. Hill said that he was "a bit surprised but obviously delighted" by his selection.

"We think Hill has more of the facets we need, not least defensively," Rowell said. Back must be content with a place in the A international against Scotland, whose senior squad will be named today, but the jury will remain out on the balance of the England back row. All three are ball-handlers, but Rodber, who will be happy to occupy his favoured position — only three of his caps have been earned there — must employ his ability more constructively than going to ground.

Though none of England's leading clubs have reached agreement with the Rugby Football Union, and only a handful of the players have signed letters of intent, there is no prospect of the dispute affecting the internationals. The clubs know that a withdrawal of labour would prove

## Relegation under review

By RUSSELL KEMPSON

DISCUSSIONS have taken place between the Football League and the FA Premier League about a possible reduction in the number of clubs relegated from the FA Carling Premiership.

It is believed that the Premier League is seeking a revamped "two-up, two-down" system, with the Football League clubs being offered compensation if they agree to the move.

Talks are only in the initial stages, with both leagues concerned about the increasingly wide financial gap between the Premiership, which is run by the Premier League, and the Nationwide League, which is run by the Football League.

Mike Lee, a Premier League spokesman, said: "There are a number of matters being considered by the Premier League and the Football League at the moment. The issue of the wealth gap is one of those and, while there are no formal

proposals to be considered at this stage, discussions are taking place."

League clubs are unlikely to be over-enthusiastic about any reduction from the present three-up, three-down system, unless the compensation package was substantial.

Chris Hull, a Football League spokesman, said: "These discussions are very much at the preliminary stage and no formal offer has been made. We have a binding contractual agreement with the Premier League and that cannot be altered without our permission." Any change would not come into force until next season at the earliest.

The Football Association has acted swiftly in an attempt to avoid a repetition of the late postponements of several FA Cup ties last week. Supporters were left frustrated and angry when games at Brentford, Coventry City, Watford, Luton

Town and West Ham United were called off less than two hours before the scheduled kick-offs.

Steve Clark, the FA competitions secretary, has written to all the clubs left in the competition, advising them of new guidelines designed to prevent supporters making pointless journeys. He has asked the home clubs to ensure that the match official, or an FA appointed referee, inspects the pitch before the likely departure time of visiting supporters.

Pitch inspections should take place the day before the game, if it is felt that the match is in doubt, and clubs have also been directed to monitor the pitch conditions and advise the FA and media of inspections if they are necessary.

Supporters will not be allowed into grounds if there is any chance of the game being called off.

## Raul recruited by Newcastle

KENNY DALGLISH has lost little time since his appointment as manager in moving to reinforce the Newcastle United defence (Peter Ball writes). Yesterday Raul, the former Portugal Under-21 defender, agreed to join the club until the end of the season.

Raul, 22, who plays for Farense, is expected to arrive at St James' Park this week. Whether an inexperienced

approaches for Blackburn Rovers players looked small yesterday. Blackburn reiterated that no one will leave Ewood Park before the contract of Shay Given, the goalkeeper, expires in the summer and Robert Coar, the chairman, responded coolly to Dalglish's comments about why he left Blackburn.

"Kenny Dalglish told us at the time that he wanted to step down as manager because he

tributed to him in the newspapers at the weekend are correct, it would appear he has had a change of mind. We can only wonder why, if there was something seriously wrong, he was very happy to remain at the club for so long afterwards."

Jürgen Klinsmann, the Bayern Munich striker, yesterday flew into Glasgow in readiness for matches against Raith, in Fife tonight, and

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